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EXECUTIVE ORDERS STATE OF MARYLAND



1994

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1994

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Table of Contents
Executive Orders 1994

	Page
Listing by Number	v
Previous Executive Orders Affected	vii
Executive Orders	1
Index	67

GUIDE TO EXECUTIVE ORDERS

<u>Number</u>	<u>Date</u>	<u>Subject</u>	<u>Page</u>
01.01.1994.01	1/10/94	Governor's Commission on Service	1
01.01.1994.02	1/20/94	Employee Release and Building Closings Under Acute Energy Shortage Emergency	5
01.01.1994.03	1/24/94	Relief from Hours-of-Service Limitations for Certain Motor Carriers	6
01.01.1994.04	1/31/94	Extension of Expiration Period for Vehicle Registrations	7
01.01.1994.05	2/2/94	Relief from Hours-of-Service Limitation for Certain Motor Carriers	8
01.01.1994.06	2/4/94	State Agencies – Internal Audits	9
01.01.1994.07	2/4/94	Maryland Center for Industrial Energy Efficiency	10
01.01.1994.08	2/4/94	Commission on Enhancing Public Services through Improved Interagency Cooperation (Amends 01.01.1993.34)	12
01.01.1994.09	2/9/94	Commission on Neighborhoods (Amends Executive Order 01.01.1993.29)	14
01.01.1994.10	2/11/94	Relief from Hours-of-Service Limitation for Utility Company Motor Carriers	17
01.01.1994.11	3/29/94	Health Care Decisions Act Advisory Council	17
01.01.1994.12	5/16/94	Fetal Alcohol Syndrome	19
01.01.1994.13	5/17/94	Governor's Commission on the Thurgood Marshall Memorial Statue	20
01.01.1994.14	5/19/94	Forum for Rural Maryland	22
01.01.1994.15	6/23/94	Central Light Rail Line Security at Oriole Park at Camden Yards	26
01.01.1994.16	7/8/94	Insurance Fraud Unit Advisory Council (Amends Executive Order 01.01.1992.24)	27
01.01.1994.17	7/20/94	The Governor's Task Force on Community Health Networks	30
01.01.1994.18	7/21/94	Commission on Women's Health	34
01.01.1994.19	7/30/94	Commission to Study State Assumption of the Circuit Courts	36

01.01.1994.20	8/1/94	World War II Memorial Commission	38
01.01.1994.21	8/8/94	Governor's Office of Justice Administration (Amends 01.01.1992.02)	39
01.01.1994.22	8/9/94	Governor's Interagency Training Advisory Council	45
01.01.1994.23	8/9/94	Maryland Museum of African American History and Culture Commission	48
01.01.1994.24	8/22/94	Governor's Commission on Television Violence	50
01.01.1994.25	9/8/94	Grievance Procedure – State Employees	53
01.01.1994.26	9/21/94	Maryland Office for New Americans	54
01.01.1994.27	9/21/94	Efficiency 2000 Commission	57
01.01.1994.28	9/27/94	Governor's Commission on Competitive Forces Facing Maryland's Horse Racing Industry	59
01.01.1994.29	10/21/94	World War II Memorial Commission (Amends Executive Order 01.01.1994.20)	62
01.01.1994.30	11/21/94	Governor's Executive Committee on Drunk and Drugged Driving	63

Previous Executive Orders Affected

Previous Orders

01.01.1992.02
01.01.1992.24
01.01.1993.29
01.01.1993.34
01.01.1994.20

1994 Orders

01.01.1994.21 p. 39
01.01.1994.16 p. 27
01.01.1994.09 p. 14
01.01.1994.08 p. 12
01.01.1994.29 p. 62

EXECUTIVE ORDER OF JANUARY 10, 1994

01.01.1994.01

Governor's Commission on Service

WHEREAS, Maryland has demonstrated the ability to successfully marshal significant volunteer resources to help people;

WHEREAS, Maryland has a long standing history of volunteer and service leadership as demonstrated by the Governor's Advisory Board on Service and Citizenship, the Governor's Volunteer Council, and the Maryland Student Service Alliance;

WHEREAS, Pursuant to the National and Community Service Act of 1990, Maryland successfully established pilot initiatives—Volunteer Maryland!, Maryland Conservation Corps, Baltimore Civic Works, Montgomery County Community Year, Summer of Service—that demonstrated the State's ability to recruit and train hundreds of people to engage thousands of Marylanders in volunteer service to their communities;

WHEREAS, Maryland was the first State in the Nation to include a service-learning requirement for all public high school youth;

WHEREAS, The fiscal climate of the 1990's dictates that government respond to its charge by developing innovative programs, forging partnerships with all sectors, demonstrating accountability and measurability, and fostering a culture for maximum citizen involvement;

WHEREAS, The National and Community Service Trust Act of 1993, hereinafter referred to as "the Act," has established a model for states to follow to be eligible to receive federal funds appropriated under the Act;

WHEREAS, Maryland must establish an entity to ensure that the provisions of the Act, which will ultimately enhance the comprehensive delivery of services to all Marylanders, are met; and

WHEREAS, It is beneficial to the people of the State to coordinate the efforts of all groups previously formed to promote volunteerism in Maryland;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is a Governor's Commission on Service within the Executive Department.

B. Scope of the Commission.

(1) The Commission shall oversee administration of the State's participation in the National and Community Trust Act, including:

EXECUTIVE ORDERS

- (a) Developing and updating annually a three-year strategic plan for service programs in Maryland that will enable the State to use service and volunteerism to address Maryland's critical needs. The plan shall include both funding and program priorities for allocation of formula funds within the State and provide the following:
 - (i) Strategies to improve and strengthen the existing infrastructure of volunteer and service programs in the nonprofit and government sectors;
 - (ii) Building opportunities for people to provide volunteer service to solve problems in the priority areas of education, environment, public safety and human services;
 - (iii) Identification of service gaps and programming to meet these needs;
 - (iv) Identification and replication of successful programs to meet local and national service goals;
 - (v) Stimulating opportunities for innovative projects by national and community service participants that will not displace or duplicate the functions of existing workers;
 - (b) Developing a competitive selection process for the distribution of formula funds received under the Act to government and community organizations within the State. The process shall reflect the priorities of the State plan and specify performance standards for all service participants, service program operations, and service sites;
 - (c) Developing an evaluation plan that applies to the performance of individual projects as well as the overall State plan, and which will ensure accountability of program operations and financial expenditures; and
 - (d) Providing technical assistance and training to government and community programs in program planning, application for funding, performance monitoring and assessment;
- (2) The Commission shall submit its three-year plan to the Governor no later than May 1, 1994 and, upon the Governor's approval, make application to the Corporation for National Service and to other public and private sources for funding. Thereafter, the Commission shall oversee implementation of the plan and provide an annual review and update to the Governor.

- (3) The three-year plan and its annual updates shall be developed through a process that includes well-publicized public hearings around the State and coordination and consultation with State and local government, community based organizations, and the private sector to ensure broad consensus in the selection of program priorities and implementation strategies.
- (4) Copies of the annually updated plan shall also be made available to the Maryland General Assembly and disseminated to the general public.
- (5) The Commission shall perform any other duties required by the Corporation on National Service.
- (6) It shall be the responsibility of the Commission to ensure coordination of service programs of all types in Maryland to maximize utilization of resources. In this regard, the Commission is hereby charged with and shall assume the responsibilities previously assigned to the Governor's Advisory Board on Service and Citizenship, and the Governor's Volunteer Council.

C. Membership and Procedures:

- (1) The Commission shall consist of no more than 25 voting members, including the following individuals:
 - (a) The State Superintendent of Schools;
 - (b) One representative of a community-based agency or organization;
 - (c) One representative of local government;
 - (d) One representative of a for-profit business;
 - (e) One representative of a labor organization;
 - (f) One participant in a local national service program;
 - (g) A young adult, between 16 and 25 years of age, who is a participant or supervisor in a service program.
 - (h) One representative of education, training and support programs for disadvantaged youth;
 - (i) One representative of service and volunteer programs for older adults;
 - (j) Public members with knowledge or experience in some aspect of service, service learning, volunteerism, human service, education, environment or public safety.

EXECUTIVE ORDERS

- (2) In addition, the Governor may appoint other nonvoting, ex-officio members whose assistance and participation would be beneficial to the work of the Commission. These members may include, but are not limited to:
 - (a) The Secretary of Juvenile Services;
 - (b) The Secretary of the Higher Education Commission;
 - (c) The Secretary of Natural Resources;
 - (d) The Secretary of Human Resources;
 - (e) The Director of the Governor's Office on Volunteerism;
 - (f) The Director of the Maryland Student Service Alliance;
 - (g) The Director of Volunteer Maryland!;
 - (h) The Director of the Maryland Conservation Corps;
 - (i) The Director of the Maryland-Delaware Action Agency;
 - (j) A representative of a public safety professional association: law enforcement, policing or corrections;
 - (3) The Governor shall appoint an interim Chairperson from among the members until such time as the Commission elects a Chair. The Chair will be elected annually from among the Commission members and may be re-elected.
 - (4) Membership on the Commission shall be for a three-year term, staggered in thirds. A member may be reappointed and serve for up to two consecutive terms.
 - (5) The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform his or her duties.
- D. The Commission shall submit an annual report to the Governor by December 31st of each year.
- E. Staffing and Operating Expenses
- (1) The Executive Director of the Commission shall be named by and serve at the pleasure of the Governor.
 - (2) The staff and operating expenses of the Commission shall be met through the operating budgets of the Executive Department and federal funds available for the purpose of administering National and Community Service programs.
 - (3) Members of the Commission may not receive any compensation for their services. Members may be reimbursed for their reasonable expenses

incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.

EXECUTIVE ORDER OF JANUARY 20, 1994

01.01.1994.02

Employee Release and Building Closings Under Acute Energy Shortage Emergency

WHEREAS, There has been an unprecedented energy demand on State utilities caused by record frigid weather;

WHEREAS, The local utilities have advised the Governor's Office that it is essential that energy consumption be reduced;

WHEREAS, Several utilities including Baltimore Gas & Electric Company, Potomac Electric Power Company, and Washington Gas Light Company have instituted temporary service blackouts to conserve energy; and

WHEREAS, In order to protect the health, safety and welfare of the citizens of this State, a public emergency by reason of an actual acute energy shortage is declared;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE JANUARY 19, 1994.

- A. Definitions. In this Order, the following words have the meanings indicated:
- (1) "Crisis," "disaster," "catastrophe," and similar public emergency refers to the situation where the health, safety, and welfare of the citizens of this State are threatened by an actual or impending acute shortage in usable energy resources.
 - (2) "Emergency release time" means approved release with full pay that is granted to employees during an emergency condition due to an actual or impending acute shortage in energy resources.
 - (3) "Essential employee" means an employee designated by an appointing authority whose duties are of such nature as to require the employee's continued presence at the work site or an employee who must report to work to continue agency operations due to an actual or impending acute shortage in energy resources.
- B. Due to the existence of an acute energy shortage on January 19, January 20, and January 21, 1994, I have directed cabinet secretaries and all heads of independent personnel systems in the Executive Branch to suspend their operations and close any facilities within their control, with the exception of 24-hour State facilities for the following times:

EXECUTIVE ORDERS

- (1) January 19, 1994, after 3:00 p.m.
 - (2) January 20, 1994
 - (a) before 10:00 a.m. and after 3:00 p.m.; and
 - (b) in Montgomery, Prince George's, Charles, Calvert, and St. Mary's Counties, beginning with the day shift.
 - (3) January 21, 1994, before 10:00 a.m.
- C. Nonessential employees shall be granted emergency release time during the period of suspended operations.
- D. Essential employees may be required to report for work or remain at work during an emergency closing situation. The appropriate authority may either excuse personnel from duty or require their presence, as circumstances and conditions warrant, in order to maintain minimum staffing requirements for the affected facility(ies).
- E. The provisions of the Executive Order 01.01.1981.10, "Employee Release Time Under Emergency Conditions" and any policies or procedures adopted or implemented pursuant thereto do not apply to the acute energy shortage that is the subject of this Executive Order.
- F. The Secretary of Personnel, the appointing authorities, and heads of independent personnel systems in the Executive Branch shall take all actions necessary or desirable to implement this directive.

EXECUTIVE ORDER OF JANUARY 24, 1994

01.01.1994.03

Relief from Hours-of-Service Limitations for Certain Motor Carriers

WHEREAS, The Maryland Emergency Management Agency advises that the lingering effects of the recent severe winter storm continue to delay the delivery of certain essential products and services and require State emergency assistance to protect public health, welfare and safety;

WHEREAS, Provisions of State and federal law impose hours-of-service limitations on the ability of certain motor carriers to provide necessary materials or services in a timely manner consistent with the public health, welfare and safety;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Pursuant to Article 16A, § 6A(a) of the Annotated Code of Maryland, a State of Emergency exists in the State of Maryland.
- B. Pursuant to Article 16A, § 6A(c)(1) of the Annotated Code of Maryland, from 6:00 p.m. on January 24, 1994, until 6:00 p.m. on February 3, 1994, the hours-of-service provisions of § 25-111(i)(1)(iii) of the Transportation Article of the annotated Code of Maryland, and any pertinent regulations adopted by the Motor Vehicle Administration pursuant to § 25-111(f) of the Transportation Article as to the following motor carriers, are hereby suspended:
 - 1. Poultry and livestock feed suppliers;
 - 2. Utilities;
 - 3. Heating fuel suppliers;
 - 4. Oxygen/nitrogen suppliers;
 - 5. Sanitation services; and
 - 6. Highway/road clearing operations to include materials used for the purpose of their activities.

EXECUTIVE ORDER OF JANUARY 31, 1994

01.01.1994.04

Extension of Expiration Period for Vehicle Registrations

WHEREAS, Since Monday, January 17, 1994 the State of Maryland has experienced severe and inclement weather conditions; and

WHEREAS, The severe and inclement weather conditions have caused interruption of the hours of operation of the Motor Vehicle Administration's branch offices; and

WHEREAS, The severe and inclement weather has hindered the ability of the citizens of Maryland to travel to the Motor Vehicle Administration's offices for the purpose, among other things, of renewing the registrations of their vehicles; and

WHEREAS, Monday, January 31, 1994 is the expiration date for the registration of many vehicles in the State of Maryland, and many of these vehicles have not yet had their registrations renewed; and

WHEREAS, An extension of the expiration period for vehicle registrations scheduled to expire on January 31, 1994 would be in the interest of facilitating the customer service provided to the citizens of Maryland by the Motor Vehicle Administration;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY

EXECUTIVE ORDERS

PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. All vehicle registrations scheduled to expire as of January 31, 1994 shall be extended through midnight Friday, February 4, 1994.
- B. The Administrator of the Motor Vehicle Administration shall take all action necessary to implement this directive.

EXECUTIVE ORDER OF FEBRUARY 2, 1994

01.01.1994.05

Relief from Hours-of-Service Limitation for Certain Motor Carriers

WHEREAS, The Maryland Emergency Management Agency advises that the lingering effects of the recent severe winter storm continue to delay the delivery of certain essential products and services and require State emergency assistance to protect public health, welfare, and safety; and

WHEREAS, Provisions of State and federal law impose hours-of-service limitations on the ability of certain motor carriers to provide necessary materials or services in a timely manner consistent with the public health, welfare, and safety;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Pursuant to Article 16A, § 6A(a) of the Annotated Code of Maryland, a State of Emergency exists in the State of Maryland,
- B. Pursuant to Article 16A, § 6A(c)(1) of the Annotated Code of Maryland, from 6:00 p.m. on February 3, 1994, until 6:00 p.m. on February 18, 1994, the hours-of-service provisions of § 25-111(i)(1)(iii) of the Transportation Article of the Annotated Code of Maryland, and any pertinent regulations adopted by the Motor Vehicle Administration pursuant to § 25-111(f) of the Transportation Article as to the following motor carriers, are hereby suspended:
 - (1) Heating fuel suppliers
 - (2) Oxygen/nitrogen suppliers
 - (3) Sanitation services
 - (4) Highway/road clearing operations to include materials used for the purpose of their activities.

EXECUTIVE ORDER OF FEBRUARY 4, 1994

01.01.1994.06

State Agencies – Internal Audits

WHEREAS, The mission of an Executive agency is to perform its lawfully prescribed responsibilities for the benefit of the citizens of Maryland;

WHEREAS, Internal management control leads to more efficient delivery of services to the citizens of the State of Maryland;

WHEREAS, The effectiveness of State operations increases under well-managed programs;

WHEREAS, Internal management control is currently conducted through a self-assessment process in coordination with the Committee on Fraud, Waste and Abuse; and

WHEREAS, The legislative auditor's activity would be more efficient in coordination with an agency's chief internal auditor;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The appointing authority of each agency that currently performs internal audits shall:
 - (1) Designate an individual to act as a chief internal auditor;
 - (2) Implement an effective program of internal audits that includes, as the agency head determines to be necessary, professional and support staff that have the technical proficiency and educational background appropriate for the performance of audits; and
 - (3) Seek from the Legislature sufficient funding to cover the related costs incurred by the agency in the performance of these duties.
- B. The chief internal auditor of an agency shall:
 - (1) Report directly to the agency head;
 - (2) Develop an annual audit plan to carry out internal audits;
 - (3) Provide written policies and procedures to guide the performance of internal audits;
 - (4) In conjunction with the Committee on Fraud, Waste, and Abuse's biannual self-assessment evaluation, maintain an ongoing internal quality assurance program to evaluate the operation of internal audits;

EXECUTIVE ORDERS

- (5) Prepare internal audit reports that shall:
 - (a) Be submitted to the Governor and agency head; and
 - (b) Be available for review, except for any part of a report that is privileged from disclosure under the Public Information Act;
 - (6) Conduct follow-up reviews of internal audit findings to ascertain that appropriate action has been taken on findings contained in internal audit reports; and
 - (7) Make available and coordinate a continuing professional education program to ensure that the agency's internal auditors have access to current information concerning internal audit policies, procedures, and techniques and to provide general technical and audit assistance to the agency's internal auditors.
- C. Each agency that performs internal audits shall establish a program that is conducted in accordance with internal auditing standards.
- D. The chief internal auditor and the internal audit staff, shall:
- (1) Subject to the approval of the appointing authority, have access to all personnel and any data, records, and other information of the State agency that the chief internal auditor deems necessary to carry out the internal audit; and
 - (2) Maintain the confidentiality of any public records that are made confidential by law and be subject to the same penalties as the custodian of the public records for a violation of a confidentiality law applicable to the records.

EXECUTIVE ORDER OF FEBRUARY 4, 1994

01.01.1994.07

Maryland Center for Industrial Energy Efficiency

WHEREAS, Maryland is committed to being a national leader in the most efficient use of energy for all aspects of its present and future development; and

WHEREAS, An important element of that goal is to ensure that the State's industries are able to benefit from the efficient uses of energy;

WHEREAS, The Governor's Energy Task Force has recommended establishing a technology center that will provide assistance and information pertaining to energy efficiency projects and funding, energy related legislative issues, and existing and emerging energy efficiency technologies to the State's industrial firms; and

WHEREAS, The General Assembly has provided funding to establish the Center:

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE

STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Through a cooperative effort of the University of Maryland's Technology Extension Service, the Maryland Energy Administration, and the Department of Economic and Employment Development, there shall be a Maryland Center for Industrial Energy Efficiency established and located within the Technology Extension Service of the University of Maryland's Engineering Research Center at College Park.
 - B. The Center shall develop information pertaining to the implementation of energy efficient projects, grants, incentives, financing, rebates, and emerging energy efficient technologies, and provide such information and other required assistance to interested industrial firms of all sizes and types who are already located in Maryland or who are interested in locating in Maryland.
 - C. The Center shall take a proactive role in developing information from all sources available on energy efficiency methods that will improve operating costs and competitiveness of industrial firms, establish open and meaningful communication on available technologies between the State and federal governments, universities, utilities and private business firms, build an awareness and positive image of the State of Maryland to attract new businesses, attract pilot programs and test sites for new technologies, and take all other appropriate actions to foster the goal of making Maryland's industrial facilities models of the efficient use of energy.
 - D. In order to realize its goals and to best utilize the broadest array of experience and expertise, the Center shall be guided by the recommendations of a Steering Committee that will be made up of representatives of its leading business organizations and industrial firms, its utilities, and the State government, which shall be represented by the Maryland Energy Administration and the Department of Economic and Employment Development. The members of the Steering Committee shall be appointed by, and serve at the pleasure of, the Governor.
 - E. Once established and acting under the guidance of the Steering Committee, the Center shall seek membership and funding from interested industrial sources, industry trade groups and technology centers and utilize the broadest array of technical and funding sources to realize its goals.
-

EXECUTIVE ORDER OF FEBRUARY 4, 1994

01.01.1994.08

Commission on Enhancing Public Services through Improved Interagency Cooperation
(Amends 01.01.1993.34)

WHEREAS, The Commission on Enhancing Public Services through Improved Interagency Cooperation was established by Executive Order 01.01.1993.34 on December 22, 1993, to ensure that State resources are used in the most efficient and effective manner; and

WHEREAS, In order to ensure that all major agencies are represented on the Commission, it is desirable that representatives from the Maryland State Department of Education and the Maryland Higher Education Commission be appointed to the Commission;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Governor's Commission. There is a Governor's Commission on Enhancing Public Services through Improved Interagency Cooperation.
- B. Membership and Procedures.
 - (1) The Governor's Commission shall consist of [14] 16 members, each of whom shall be an experienced executive nominated for Commission membership by [each Cabinet] THEIR agency HEAD [designated by the Governor,] and approved by the Governor. THE FOLLOWING AGENCIES SHALL BE REPRESENTED:
 - (A) DEPARTMENT OF BUDGET AND FISCAL PLANNING;
 - (B) DEPARTMENT OF AGRICULTURE;
 - (C) DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT;
 - (D) MARYLAND STATE DEPARTMENT OF EDUCATION;
 - (E) DEPARTMENT OF THE ENVIRONMENT;
 - (F) DEPARTMENT OF HEALTH AND MENTAL HYGIENE;
 - (G) MARYLAND HIGHER EDUCATION COMMISSION;
 - (H) DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
 - (I) DEPARTMENT OF HUMAN RESOURCES;

- (J) DEPARTMENT OF JUVENILE SERVICES;
 - (K) DEPARTMENT OF LICENSING AND REGULATION;
 - (L) DEPARTMENT OF NATURAL RESOURCES;
 - (M) DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;
 - (N) MARYLAND DEPARTMENT OF TRANSPORTATION;
 - (O) DEPARTMENT OF PERSONNEL; AND
 - (P) DEPARTMENT OF GENERAL SERVICES.
- (2) The Secretary, DBFP, shall serve as Chairman of the Commission.
 - (3) A majority of the Commission shall constitute a quorum for the transaction of any business. The Commission may adopt any rules or procedures necessary to ensure the orderly conduct of business.
 - (4) The members of the Commission shall not receive any compensation for their services.
 - (5) Staff support responsibilities for the Commission shall be shared by control and service agencies and shall be provided on an as needed basis at the request of the Chairman.
- C. Scope of the Commission. The Commission shall:
- (1) Review existing DBFP and other State agency management and operating statutes, regulations, policies, and procedures with the objectives of identifying:
 - (a) Means whereby DBFP can, consistent with law and regulation, contribute more directly to the achievement of other State agency service oriented programmatic goals and objectives;
 - (b) Opportunities for streamlining processes related to DBFP review and approval of agency position control, procurement, budget amendment and other types of transactions;
 - (c) Opportunities for streamlining the State's budget process;
 - (d) Areas where expanding the delegation of DBFP authority may be warranted;
 - (e) Requirements for developing systems and processes that will improve interdepartmental and interagency communication and information flows as they relate to budgetary, fiscal, and other matters; and

EXECUTIVE ORDERS

- (f) Mechanisms that can be employed to obtain State agency input on existing or proposed DBFP policies and procedures that will affect agency management or operations;
- (2) Formulate recommendations that will:
 - (a) Facilitate DBFP adoption of a balanced control/service philosophy as opposed to an exclusive control orientation;
 - (b) Improve the working relationships between the DBFP and other State agencies to enhance Executive Branch public service delivery capabilities;
- (3) Conduct additional reviews or studies as may be directed by the Governor;
- (4) Meet at least quarterly, or more frequently at the call of the Chairman, to receive staff and other reports for the purpose of formulating recommendations; and
- (5) Submit recommendations for improving interagency coordination to the Governor on a schedule to be established by the Chairman but shall, as a minimum, submit reports to the Governor annually beginning April 1, 1994.

EXECUTIVE ORDER OF FEBRUARY 9, 1994

01.01.1994.09

Commission on Neighborhoods

(Amends Executive Order 01.01.1993.29)

WHEREAS, The Commission on Neighborhoods was established by Executive Order 01.01.1993.29;

WHEREAS, It has been determined that several changes to the Commission would increase its effectiveness; and

WHEREAS, It is in the best interest of the State to increase the membership of the Commission, to add several agencies of the State as ex-officio members to the Commission, to have the Governor appoint Co-Chairpersons, and to make other changes to the Executive Order;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND. HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a State Commission on Neighborhoods in the Department of Housing and Community Development.

[B. The Commission consists of 15 members of whom:

- (1) Eleven shall be appointed by the Governor;
- (2) Two shall be appointed by the President of the Senate; and
- (3) Two shall be appointed by the Speaker of the House of Delegates.]

B. MEMBERSHIP AND PROCEDURES:

1. THE COMMISSION SHALL CONSIST OF A TOTAL OF 26 MEMBERS, 22 OF WHOM SHALL BE APPOINTED BY THE GOVERNOR, 2 MEMBERS SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE OF MARYLAND, AND 2 MEMBERS SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES.
2. IN ADDITION TO THE MEMBERS APPOINTED PURSUANT TO SECTION B(1), THE FOLLOWING INDIVIDUALS, OR THEIR DESIGNEES, SHALL BE EX-OFFICIO MEMBERS OF THE COMMISSION:
 - (A) THE SECRETARY OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
 - (B) THE SECRETARY OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT;
 - (C) THE DIRECTOR OF THE MARYLAND OFFICE OF PLANNING; AND
 - (D) THE DIRECTOR OF THE OFFICE ON AGING.
3. THE GOVERNOR SHALL SELECT TWO INDIVIDUALS TO SERVE AS CO-CHAIRPERSONS OF THE COMMISSION.
4. IN THE EVENT OF A VACANCY, THE GOVERNOR MAY APPOINT A SUCCESSOR.
5. THE GOVERNOR MAY REMOVE ANY MEMBER OF THE COMMISSION FOR ANY CAUSE AFFECTING THE MEMBER'S ABILITY OR WILLINGNESS TO PERFORM THE MEMBER'S DUTIES.
6. A MAJORITY OF THE COMMISSION SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS. THE COMMISSION MAY ADOPT ANY OTHER RULES OR PROCEDURES NECESSARY TO ENSURE THE ORDERLY CONDUCT OF BUSINESS.

EXECUTIVE ORDERS

7. THE CHAIRPERSONS MAY APPOINT SUBCOMMITTEES AS NECESSARY FROM WITHIN THE MEMBERS OF THE COMMISSION TO STUDY SPECIFIC ISSUES.
- C. The Governor, President, and Speaker shall ensure that the members of the Commission reflect the diversity of the State as to region, race, and other factors, and shall ensure that both developers and the general public are represented on the commission.
- D. The Commission shall plan, organize and sponsor a statewide conference on neighborhood revitalization. The conference will include:
- (1) neighborhood leaders and residents;
 - (2) community-based nonprofit interest groups;
 - (3) local officials;
 - (4) relevant state agencies; and
 - (5) private industry.
- E. The members of the Commission may not receive a salary, but are entitled to reimbursement for expenses in accordance with the standard State travel regulations.
- F. The Commission shall terminate on December 31, 1996.
- G. The Department of Housing and Community Development shall provide staff assistance to the Commission.
- H. The conference on neighborhood revitalization shall focus on:
- (1) Examining the condition of selected geographically diverse neighborhoods in the State;
 - (2) Identifying common factors leading to neighborhood vitality or decline in urban, suburban, and rural areas;
 - (3) Identifying models of successful neighborhood revitalization strategies; and
 - (4) Evaluating legislation, administrative actions, and other methods to revitalize and strengthen neighborhoods.
- I. The Commission shall submit [an annual] A report to the Governor within 90 days after the conference that:
- (1) Describes the activities of the Commission, with emphasis on the neighborhood revitalization conference;
 - (2) Identifies factors contributing to neighborhood decline in both urban and rural areas;

- (3) Makes recommendations to promote economic development, housing, and neighborhood self-help capabilities; and
- (4) Recommends legislation, administrative actions, changes in tax codes, and other methods to revitalize, promote, and strengthen neighborhoods.

EXECUTIVE ORDER OF FEBRUARY 11, 1994

01.01.1994.10

Relief from Hours-of-Service Limitation for Utility Company Motor Carriers

WHEREAS, The Maryland Emergency Management Agency advises that the lingering effects of the recent severe winter storm continue to cause thousands of Maryland customers to be without electric service and that further adverse weather conditions are forecast which may impede repair of existing outages and may cause further outages;

WHEREAS, Provisions of State and federal law impose hours-of-service limitations on the ability of utility company motor carriers to make necessary repairs in a timely manner consistent with the public health and safety; and

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Pursuant to Article 16A, § 6A(a) of the Annotated Code of Maryland, a State of Emergency exists in the State of Maryland.
- B. Pursuant to Article 16A, § 6A(c)(1) of the Annotated Code of Maryland, from 6:00 p.m. on February 11, 1994, until 6:00 p.m. on February 22, 1994, the hours-of-service provisions of § 25-111(i)(1)(iii) of the Transportation Article of the Annotated Code of Maryland, and any pertinent regulations adopted by the Motor Vehicle Administration pursuant to § 25-111(f) of the Transportation Article as to utility company motor carriers providing relief services to repair the power outages, are hereby suspended.

EXECUTIVE ORDER OF MARCH 29, 1994

01.01.1994.11

Health Care Decisions Act Advisory Council

WHEREAS, Chapter 372 of the Laws of Maryland of 1993 established the Health Care Decisions Act;

WHEREAS, The Health Care Decisions Act recognizes our society's ethical value that

EXECUTIVE ORDERS

every citizen's life has worth in and of itself, and the individual's right to control his or her own health care as well as the right of the State to safeguard this privilege so that decisions made by others for an incompetent individual will advance the interests and wishes of only that individual and be in keeping with the ethical standards of the medical professions; and

WHEREAS, The State of Maryland is concerned that this Act be correctly and ethically implemented and adequately understood by citizens, health care providers and agents, families and guardians;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Within the Executive Office of the Governor, there is a Health Care Decisions Act Advisory Council.
- B. Membership and Procedures.
 - (1) The Governor will appoint 19 members who are representative of diverse and pertinent ethical, provider- and public- interest viewpoints for staggered terms of three years.
 - (2) The Governor shall select the Chairperson of the Council.
 - (3) In the event of a vacancy on the Council, the Governor may appoint a successor. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.
 - (4) The Governor may remove any member of the Council for any cause adversely affecting the member's ability to perform his or her duties.
 - (5) The members of the Council may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.
 - (6) A majority of the Council shall constitute a quorum for the transaction of business. The Council may adopt other rules or procedures necessary to ensure the orderly conduct of business.
- C. Functions of the Council. The Council shall:
 - (1) Monitor whether and in what manner health care facilities are advising patients about their health care decisions pursuant to federal law and the Health Care Decisions Act;
 - (2) Develop a means to survey how the Health Care Decisions Act is affecting or influencing health care decisions;

- (3) Review and, if necessary, make recommendations for changes to the Health Care Decisions Act of 1993;
 - (4) Review and analyze important ethical issues that arise from the Health Care Decisions Act, and make recommendations if appropriate; and
 - (5) Educate the public and health care providers regarding the law.
- D. The Executive Department shall provide staff support for the Council.
- E. The Council shall convene at least five meetings a year in such places as it determines to be necessary to conduct Council business and conduct such forums or hearings as the Council considers appropriate.
- F. No member of the Council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under State law.
- G. The Council may appoint such advisory committees as it deems necessary.

EXECUTIVE ORDER OF MAY 16, 1994

01.01.1994.12

Fetal Alcohol Syndrome

WHEREAS, Fetal Alcohol Syndrome (FAS) is a birth defect caused by excessive consumption of alcohol by a pregnant woman;

WHEREAS, Nearly 5,000 babies—one in every 750—are born with FAS each year;

WHEREAS, FAS is one of the three major known causes of mental retardation in the United States;

WHEREAS, FAS results in serious health problems such as deficiencies in prenatal and postnatal growth that are also associated with mental retardation, developmental disabilities and heart defects;

WHEREAS, Even in cases where a pregnant mother consumes alcohol in excessive amounts and FAS does not develop, an infant may experience alcohol-related birth effects that include increased irritability and hyperactivity;

WHEREAS, One in six women in their peak childbearing years of 18 to 34 may drink enough, either chronically or episodically, to present a hazard to an unborn infant;

WHEREAS, Each year, FAS babies cost Maryland more than \$14.8 million to treat during their infancy, \$670 million during their childhood years, and \$760 million throughout the adult years.

WHEREAS, Women are increasingly targeted for marketing of alcoholic beverages and will spend approximately \$30 billion on alcoholic beverages in 1994, compared with \$20 billion in 1984;

EXECUTIVE ORDERS

WHEREAS, The 1992 Adolescent Drug Survey results indicate that alcohol is the drug of choice among teenagers today; and

WHEREAS, FAS and the associated costs can be prevented if pregnant women and women considering pregnancy abstain from alcohol consumption;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The Maryland State Department of Education will work with local health curriculum supervisors to increase the number of school systems who are using educational resources through organizations including, but not limited to, Blue Cross/Blue Shield, the Association of Retarded Citizens and the March of Dimes to address the growing need for staff development inservice training and classroom instruction to prevent FAS-related birth defects.
- B. The Governor's Office shall design and distribute a poster that expresses the risk of FAS to pregnant women. The poster shall be distributed to various locations aimed at increasing women's awareness of FAS. The locations shall include restaurants, bars, liquor stores, and schools.

EXECUTIVE ORDER OF MAY 17, 1994

01.01.1994.13

Governor's Commission on the Thurgood Marshall Memorial Statue

WHEREAS, Maryland's native son Thurgood Marshall was a man of extraordinary accomplishment who made significant contributions to further the advancement of our society;

WHEREAS, The General Assembly in its 1994 Session added \$100,000 to the Fiscal Year 1995 capital budget to provide funds for a feasibility study, site planning, design, and design competition for a statue of Thurgood Marshall to be placed at an appropriate site on the State House grounds in Annapolis;

WHEREAS, The State, through a special panel of distinguished citizens and experts, can more effectively implement a process and competition to design and install such a memorial statue;

WHEREAS, One of Thurgood Marshall's major accomplishments was his appearance before the Supreme Court as Chief Counsel to the National Association for the Advancement of Colored People to argue for school desegregation in Brown v. Board of Education, of which the landmark decision was issued on May 17, 1954;

WHEREAS, It is fitting that a Commission on the Thurgood Marshall Memorial Statue be named on the fortieth anniversary of this historic decision;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Commission on the Thurgood Marshall Memorial Statue.
- B. Membership.
 - 1. The Commission shall consist of up to seven members appointed by the Governor, including persons whose training, expertise, or special interest will benefit the purposes of the Commission.
 - 2. The Governor shall designate a Chairperson from among the members of the Commission.
 - 3. The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform the member's duties.
 - 4. In the event of a vacancy on the Commission, the Governor shall appoint a successor for the remainder of the life of the Commission.
- C. Scope: The Commission is hereby charged with the following duties:
 - 1. Develop and implement a process to create a memorial statue of Thurgood Marshall to be placed at an appropriate site on the State House grounds, including an examination of the feasibility of the project, site planning, design competition, execution and installation;
 - 2. Advise the Governor, State agencies, and the General Assembly on matters relating to the proposed memorial statue;
 - 3. As soon as prudent and feasible, but no later than January 1, 1995, develop a plan and capital program sufficient to support a capital budget appropriation for construction and installation of the memorial statue and its associated improvements;
 - 4. Perform other duties or actions necessary to advance realization of the Thurgood Marshall Memorial Statue; and
 - 5. Complete all of its duties by June 30, 1995.
- D. Principal staff support for the Commission shall be provided by the Division of Historical and Cultural Programs of the Department of Housing and Community Development in consultation with other appropriate agencies, including the State House Trust, the Maryland Arts Council, the Commission on African American History and Culture, and the Department of General Services. Other agencies shall assist when requested by the Commission.

EXECUTIVE ORDERS

E. Procedures.

1. The Commission shall meet at times and places to be determined by the members.
2. The Commission may appoint subcommittees from within or without its members to address specific tasks relating to the planning and implementation of the project.
3. A majority of the Commission shall constitute a quorum for the transaction of any Commission business. In any subcommittee, a majority shall constitute a quorum for the transaction of any subcommittee business.
4. The Commission may adopt such other procedures and bylaws necessary to ensure the orderly transaction of business.

F. Commission Expenses: The members may be reimbursed for their reasonable expenses incurred in the performance of duties.

G. State agencies shall consider when undertaking permitting, licensing, planning, funding and construction actions, the impact of those actions on the proposed project.

EXECUTIVE ORDER OF MAY 19, 1994

01.01.1994.14

Forum for Rural Maryland

WHEREAS, Rural Maryland is home to many of the State's citizens, comprises the majority of the State's land area, and contains the major share of the State's natural assets;

WHEREAS, Rural Maryland is important to Maryland as a source of farmland, congestion-free living space, and places of natural beauty which are part of our natural heritage;

WHEREAS, Within the State of Maryland, as American in Miniature, rural Maryland is a source of cultural values that are at the heart of America's work ethic and way of life;

WHEREAS, In order to protect and enhance these assets, the State has a special stake in the performance of the economy of rural Maryland and in the well-being of rural Marylanders;

WHEREAS, In our market-driven world economy, lasting economic prosperity for rural Marylanders can be achieved only by creating capacity within the rural economy to deliver goods and services that compete effectively in international markets and that command premium prices;

WHEREAS, The principal goals of the National Initiative of Rural America announced by the President of the United States in January 1990, and currently known as the National Rural Development Partnership, are to improve rural development program coordination among federal agencies, to undertake active partnerships by and among states, localities and the private sector, and to improve the effectiveness of the federal rural development efforts by adopting an inclusive as well as a strategic and comprehensive approach to rural development;

WHEREAS, A key action element of the Partnership is to form state-level rural development councils to coordinate rural development efforts among federal departments and agencies and to establish effective collaboration among states, local governments and the private sector;

WHEREAS, The Partnership recommends to the States that state-level rural development councils be as inclusive as possible by having a broad range of organizations represented that are selected by the State, the federal government and the Council itself; and

WHEREAS, Maryland is actively participating in implementing the goals and objectives of the Partnership through a Memorandum of Understanding executed with the U.S. Department of Agriculture in December 1992 which requires the State, among other things, to establish a rural development council which will be known as the Forum for Rural Maryland and to select representatives from the State to be members of the Forum.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a rural development council in Maryland to be known as the Forum for Rural Maryland.
- B. Scope of the Forum. The Forum shall undertake activities which address the issues and concerns of rural Maryland citizens and which are not inconsistent with the Memorandum of Understanding signed by the Governor and the Secretary of the U.S. Department of Agriculture in December 1992, and this Executive Order.
- C. Membership and Procedures.
 - 1. The Governor or the designee of the Governor shall be a member of the Forum.
 - 2. The Governor shall appoint six members to the Forum from the general public who reside in rural Maryland.
 - 3. The secretaries, chairpersons, or directors, or their designees, of the following State agencies, commissions or offices shall be members of the Forum:

EXECUTIVE ORDERS

- (a) Department of Agriculture;
 - (b) Department of Economic and Employment Development;
 - (c) Department of the Environment;
 - (d) Department of Housing and Community Development;
 - (e) Department of Natural Resources;
 - (f) Department of Human Resources;
 - (g) Office of Planning;
 - (h) Department of Health and Mental Hygiene;
 - (i) The Governor's Commission on Migratory and Seasonal Farm Labor;
 - (j) Maryland Energy Administration;
 - (k) Economic Growth, Resource Protection, and Planning Commission;
 - (l) Department of Transportation;
 - (m) The University of Maryland System;
 - (n) Office of Rural Health, Maryland Department of Health and Mental Hygiene;
 - (o) Office on Aging;
 - (p) Advisory Council on Homelessness;
 - (q) University of Maryland Cooperative Extension Service; and
 - (r) Office of Individuals with Disabilities.
- 4. Two representatives of rural municipalities selected by the Maryland Municipal League shall be members of the Forum.
 - 5. Two representatives of rural counties selected by the Maryland Association of Counties shall be members of the Forum.
 - 6. One representative from each of the following regional councils shall be members of the Forum:
 - (a) The Tri-County Council for Southern Maryland;
 - (b) The Tri-County Council for Western Maryland; and
 - (c) The Delmarva Advisory Council.
 - 7. Representatives from the federal agencies that service rural areas shall be members of the Forum.

8. Representatives from the private sector including rural based for-profits and nonprofits and rural client groups shall be members of the Forum.
 9. There shall be at least six at-large members who are residents of rural Maryland.
 10. The Forum may increase its membership based on a process approved by the Executive Board of the Forum.
- D. The Forum shall adopt the rules and procedures necessary to ensure the orderly conduct of business.
 - E. The Forum shall elect, by majority vote, a Chairperson of the Forum.
 - F. In the event of a vacancy in the Forum, the person or organization that selected the member may select a successor.
 - G. The members of the Forum may not receive any compensation for their services. The members may be reimbursed for their reasonable expenses incurred in the performance of their duties, in accordance with the standard travel regulations, and as provided in the State budget.
 - H. The Department of Housing and Community Development shall provide the Forum with necessary staff and resources.
 - I. The Forum shall establish an Executive Board which shall include:
 1. The Governor or the designee of the Governor;
 2. The Chairperson of the Forum, who shall also act as Chairperson of the Executive Board;
 3. The Maryland Municipal League representatives;
 4. The Maryland Association of Counties representatives;
 5. One of the regional representatives who is selected by the Regional Council representatives;
 6. One federal representative;
 7. Two private representatives, one of whom shall represent for-profits and one of whom shall represent nonprofits, who shall be selected by majority vote of their respective groups who are members of the Forum; and
 8. Six at-large members, two each of whom shall be selected by majority vote of at-large members who reside in Southern Maryland, Western Maryland, and the Eastern Shore;
 - J. The Executive Board membership may be expanded by the Forum.
 - K. The Executive Board shall be responsible for making recommendations on policy to the Forum and for implementing the policies adopted by the Forum.

EXECUTIVE ORDERS

- L. The Chairperson, with the consent of the Executive Board, may create subcommittees as necessary from within the Forum to address and study specific issues.
- M. An executive director of the Forum shall be hired by the Forum and shall be responsible for the day-to-day operation of the Forum and shall assist in the development of policy recommendations for consideration by the Forum and the Executive Board.

EXECUTIVE ORDER OF JUNE 23, 1994

01.01.1994.15

Central Light Rail Line Security at Oriole Park at Camden Yards

WHEREAS, Maintenance of public safety and security is of paramount importance during major league baseball events held at Oriole Park at Camden Yards;

WHEREAS, The augmentation of law enforcement agencies having jurisdiction at and adjacent to Oriole Park at Camden Yards, including the police force of the Mass Transit Administration, will help ensure public safety and security, particularly along the Central Light Rail Line and its stops and stations; and

WHEREAS, The members of the Maryland Transportation Authority Police, pursuant to § 4-208 of the Transportation Article of the Annotated Code of Maryland, are granted all the powers of a peace officer and a police officer of this State;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. Pursuant to § 4-208 (b)(2)(iv) of the Transportation Article of the Annotated Code of Maryland, the Maryland Transportation Authority shall assign those officers of the Maryland Transportation Authority Police necessary, as determined by the Secretary of Transportation, to augment the Mass Transit Administration Police Force to ensure the maintenance of public safety and security at Mass Transit facilities at and near Oriole Park at Camden Yards, and particularly along the Central Light Rail Line, before, during and after major league baseball games.
- B. Maryland Transportation Authority Police Officers assigned to Oriole Park at Camden Yards may exercise their police powers on all property owned, operated or under the control of the Maryland Stadium Authority at Oriole Park at Camden Yards within the City of Baltimore and in the areas adjoining Oriole Park as follows:
 - (1) North to and including Pratt Street, including the intersections with Howard and Greene Streets;

- (2) East to and including Sharp Street;
 - (3) West to and including Russell Street and Greene Street; and
 - (4) In response to any emergency, as defined in Article 27, § 594B(h)(1)(ii) of the Annotated Code of Maryland, along and in the immediate vicinity of the Central Light Rail Line leading to and from Oriole Park at Camden Yards.
- C. Members of the Maryland Transportation Authority Police acting under this Order shall remain under the administrative and operational control of the chief police officer of the Maryland Transportation Authority Police, who shall deploy officers in consultation with the chief police officer of the Mass Transit Administration Police Force and the Commissioner, Baltimore City Police Department.
- D. This Order shall expire on October 31, 1994.

EXECUTIVE ORDER OF JULY 8, 1994

01.01.1994.16

Insurance Fraud Unit Advisory Council
(Amends Executive Order 01.01.1992.24)

WHEREAS, Executive Order 01.01.1992.24 provided for the establishment of an Insurance Fraud Advisory Council;

WHEREAS, Chapter 538 of the Laws of Maryland of 1993 provided statutory authority for the Advisory Council and set forth the structure and terms of the membership in the transitioning process from executive order authority;

WHEREAS, Chapter 105 of the Laws of Maryland of 1994 further modifies the membership structure of the Advisory Council as established under statute and extends the authority of Executive Order 01.01.1992.24 until January 1, 1997, at which time the statute will take effect.

WHEREAS, Certain inconsistencies exist between the provisions of Executive Order 01.01.1992.24 and the statute that should be reconciled to provide for an orderly transition of the Advisory Council from executive order to statutory authority.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, AMENDING EXECUTIVE ORDER 01.01.1992.24, EFFECTIVE IMMEDIATELY:

A. Insurance Fraud Unit.

- (1) There is established an Insurance Fraud Unit within the [Department of Licensing and Regulation] OFFICE OF THE GOVERNOR.

EXECUTIVE ORDERS

- (2) The head of the Fraud Unit shall be the Administrator.
 - (3) The Administrator shall be appointed by the Governor, shall serve at the pleasure of the Governor, and shall be directly responsible to the Governor.
 - (4) The Insurance Fraud Unit shall be staffed by personnel from the Insurance [Division] ADMINISTRATION, the Maryland State Police, and the Maryland Attorney General's Office.
 - (5) The Insurance Fraud Unit may accept funds, grants and services from public and private sources to carry out its duties and powers.
- B. Responsibilities. The Insurance Fraud Unit shall:
- (1) Investigate complaints, and where appropriate, prosecute suits and actions concerning fraudulent insurance acts, as defined in Article 48A of the Code and any other applicable provisions of law;
 - (2) Cooperate with and assist insurers, the Insurance [Division] ADMINISTRATION, the Maryland State Police, the Attorney General's Office, the State's Attorney, the Federal Bureau of Investigation and other appropriate law enforcement authorities in the investigation and prosecution of fraudulent insurance acts;
 - (3) Operate a toll-free telephone number for the reporting of fraudulent insurance acts;
 - (4) Conduct public outreach and awareness programs on the costs of insurance fraud to the public;
 - (5) Maintain data and statistics relating to insurance fraud; and
 - (6) Report to the Governor by November 1 of each year on the work of the Fraud Unit and its progress in enforcing the provisions of this Executive Order and all relevant fraud related laws.
- C. Prosecution. Pursuant to Article V, Section 3(a)(2) of the Maryland Constitution, the Attorney General is directed to investigate, commence and prosecute suits and actions involving fraudulent insurance acts, whether criminally or civilly, on the part of the State of Maryland or in which the State may be interested. In such actions or suits, the Attorney General shall seek whatever civil damages or other relief are allowed by law.
- D. Insurance Fraud Advisory Council.
- (1) There is an Insurance Fraud Advisory Council.
 - (2) The Advisory Council shall consist of the following [9] 10 members, appointed by the Governor:

- (a) A representative of the Attorney General's Office, recommended by the Attorney General;
 - (b) A representative of the Maryland State Police, recommended by the Superintendent of State Police;
 - (c) A representative of the Insurance [Division] ADMINISTRATION, recommended by the Insurance Commissioner;
 - (D) A REPRESENTATIVE OF THE STATE'S ATTORNEYS IN THIS STATE;
 - [(d)] (E) Three representatives of insurance companies doing business in Maryland, including both domestic and foreign insurers;
 - [(e)] (F) A representative of professional insurance agents in Maryland; and
 - [(f)] (G) Two representatives of the general public[.] WHO MAY NOT BE EMPLOYED BY, HAVE AN INTEREST IN, RECEIVE COMPENSATION FROM, OR OTHERWISE BE ASSOCIATED WITH AN INSURER, AND WHO MAY NOT HAVE HAD A FINANCIAL INTEREST IN OR RECEIVED COMPENSATION FROM ANY INSURER WITHIN 2 YEARS PRIOR TO APPOINTMENT.
- (3) The Governor shall appoint a chair for the Advisory Council from among its members.
- (4) The term of a member is 3 years[. A member may be reappointed at the end of a term. The terms of the members shall be staggered, so that one-third of the members will be appointed each year. All members serve at the pleasure of the Governor.], STAGGERED, EXCEPT THAT THE FOLLOWING PROVISIONS SHALL APPLY TO THE MEMBERS SERVING ON THE ADVISORY COUNCIL AS OF THE EFFECTIVE DATE OF THIS EXECUTIVE ORDER:
- (A) THE REPRESENTATIVE OF THE ATTORNEY GENERAL, THE REPRESENTATIVE OF THE MARYLAND STATE POLICE, AND ONE OF THE REPRESENTATIVES OF INSURERS SHALL, UPON THE EXPIRATION OF THEIR INITIAL TERMS OF OFFICE HAVE THEIR TERMS EXTENDED THROUGH JUNE 30, 1996, SUBJECT TO THE PROVISIONS OF D.(4)(E);
 - (B) THE REPRESENTATIVE OF THE STATE'S ATTORNEYS, ONE OF THE MEMBERS OF THE GENERAL PUBLIC, AND ONE OF THE REPRESENTATIVES OF INSURERS SHALL,

EXECUTIVE ORDERS

UPON THE EXPIRATION OF THEIR INITIAL TERMS OF OFFICE HAVE THEIR TERMS EXTENDED THROUGH JUNE 30, 1995, SUBJECT TO THE PROVISIONS OF D.(4)(E);

- (C) THE REPRESENTATIVES OF THE INSURANCE ADMINISTRATION, ONE OF THE MEMBERS OF THE PUBLIC, ONE OF THE REPRESENTATIVES OF INSURERS, AND THE REPRESENTATIVE OF INSURANCE AGENTS SHALL, UPON THE EXPIRATION OF THEIR INITIAL TERMS OF OFFICE HAVE THEIR TERMS EXTENDED THROUGH JUNE 30, 1994, SUBJECT TO THE PROVISIONS OF D.(4)(E);
 - (D) A MEMBER MAY BE REAPPOINTED AT THE END OF A TERM; AND
 - (E) ALL MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR.
- (5) The members of the Advisory Council may not receive any compensation for their services.
 - (6) The Advisory Council shall:
 - (a) advise and assist the Insurance Fraud Unit in implementing the provisions of this Executive Order;
 - (b) advise the Governor on matters relating to insurance fraud; and
 - (c) recommend to the Governor, on an annual basis, any changes to the operation of the Fraud Unit.

EXECUTIVE ORDER OF JULY 20, 1994

01.01.1994.17

The Governor's Task Force on Community Health Networks

WHEREAS, The health care delivery system is undergoing widespread and rapid change;

WHEREAS, New relationships are forming among health care practitioners, hospitals, other health care facilities, insurers, health maintenance organizations, and employers;

WHEREAS, These new relationships may significantly alter the distribution of the financial risk assumed for the provision of health care between payers and providers;

WHEREAS, Maryland has built a health care and insurance regulatory environment to assure equity, access, and financial solvency;

WHEREAS, Maryland has an interest in assuring that emerging and existing networks

are consistent with the aforementioned principles and goals of the State's regulatory framework;

WHEREAS, The emergence of new health networks may impact the availability and quality of health care services to certain communities or regions in the State; and

WHEREAS, Maryland has an interest in assuring that new health networks are accountable to the communities they serve;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Task Force on Community Health Networks.
- B. Membership. The Task Force shall consist of a total of 25 members including:
 - (1) The Secretary of the Department of Health and Mental Hygiene or designee;
 - (2) The Insurance Commissioner or designee;
 - (3) Twenty-three members appointed by the Governor as follows:
 - (a) Two representatives of the Senate of Maryland, nominated by the President of the Senate;
 - (b) Two representatives of the House of Delegates, nominated by the Speaker of the House;
 - (c) A representative of the Health Services Cost Review Commission, selected from a list of two nominees recommended by the Chairman of the Commission;
 - (d) A representative of the Health Resources Planning Commission, selected from a list of two nominees recommended by the Chairman of the Commission;
 - (e) A representative of the Health Care Access and Cost Commission, selected from a list of two nominees recommended by the Chairman of the Commission;
 - (f) The Dean of The Johns Hopkins Medical School;
 - (g) The President and CEO of the University of Maryland Medical System;
 - (h) A representative from a District of Columbia hospital to serve on the Task Force only as it relates to the issue concerning contractual relationships between health care plans covering Maryland residents and out-of-state health care providers;

EXECUTIVE ORDERS

- (i) Two representatives of the business community;
 - (j) A representative of organized labor;
 - (k) Two representatives of insurance carriers offering health benefit plans in Maryland;
 - (l) Two representatives of hospitals selected from a list of three individuals recommended by the Maryland Hospital Association;
 - (m) A physician;
 - (n) A nurse;
 - (o) A health care provider who is not a physician; and
 - (p) Three individuals representing the public at large.
- C. The Governor shall designate the Chairperson of the Task Force from the Task Force members.
- D. The Governor may remove any member of the Task Force for any cause which adversely affects the member's ability to perform his or her duties.
- E. Scope of the Commission.
- (1) The Task Force shall study the impact and growth of community health networks, including information on how the State can:
 - (a) Assess the impact of community health networks on the delivery of health care in the State, including the impact of quality of care and the financial stability of the health care delivery system in Maryland;
 - (b) Enhance the availability and affordability of health care services to Maryland residents through integrated systems of care that are accountable to the community and region they service;
 - (c) Align health care provider financial incentives in the delivery of health care services;
 - (d) Provide incentives to reduce excess capacity and enhance the efficiency of Maryland's health care delivery system;
 - (e) Ensure adequate coordination of State health policies and regulations regarding health networks;
 - (f) Ensure appropriate State regulation of health networks; and
 - (g) Ensure that opportunities exist for the participation of academic health centers in the networks being formed.
 - (2) In developing the study, the Task Force shall consider, among other relevant issues:

- (a) The standards necessary to ensure that a health network is able to provide or arrange for the full continuum of benefits to all enrollees in the network's regional area;
- (b) The appropriate standards and operating requirements necessary to enhance the coordination and integration of care rendered to enrollees of a health network;
- (c) The appropriate procedures and performance measures necessary to exercise appropriate oversight of the cost and utilization of services rendered by health networks;
- (d) The standards necessary to ensure that health networks establish ongoing quality assurance and utilization programs that stress health outcomes and the appropriate use of practice parameters;
- (e) The standards necessary to ensure that health networks enroll individuals who are broadly representative of all demographic groups and do not discourage enrollment from high risk or special needs populations;
- (f) The standards necessary to help ensure that health networks are accountable to the regions and communities they service including governance of the health network and commitment to improving the overall community health status and services to the uninsured;
- (g) The necessary solvency and reserve requirements for health networks that contract directly with individuals or employers and retain the risk for delivering health benefits;
- (h) In consultation with the Attorney General's Office, the need to amend existing State laws, including antitrust laws and certificate of need laws, that may conflict with the formation of health networks;
- (i) The effect of managed care and managed care regulation in other states on health care service delivery and on cost containment in those states;
- (j) The capacity of health care networks to provide a choice of any health care provider to their subscribers or enrollees;
- (k) The effect of drug pricing on health care service delivery and on cost containment both within and outside networks; and
- (l) The cost containment differences of providing health services through health care networks relative to providing those services outside a network.

EXECUTIVE ORDERS

- (m) The effect that contractual relationships between health care plans covering Maryland residents and out-of-state health care providers, which require subscribers, enrollees and insureds to utilize certain out-of-state health care providers, have on Maryland's health care delivery system.
- F. The members of the Task Force may not receive compensation for their services. The members may be reimbursed for reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.
- G. The Department of Health and Mental Hygiene shall provide the staff support necessary for the completion of the duties of the Task Force with the assistance of the Insurance Commissioner's Office and the Attorney General's Office.
- H. The Task Force shall submit an Interim Report to the Governor on December 1, 1994 and a Final Report on December 1, 1995.

EXECUTIVE ORDER OF JULY 21, 1994

01.01.1994.18

Commission on Women's Health

WHEREAS, Many health problems are unique to women or are more serious or more prevalent in women;

WHEREAS, Many diseases can be cured if diagnosed and treated in their early stages or can be prevented with education and support services;

WHEREAS, Education and outreach are essential to ensuring that women in Maryland are able to take responsibility for their own health;

WHEREAS, The most powerful prevention strategy is education throughout the school years during the developmental years of young women;

WHEREAS, A Governor's Commission on Women's Health was established for a term of one year to identify gaps in service and duplication of effort, promote preventive health care, and prepare an action plan of initiatives;

WHEREAS, The recommendations presented by the Governor's Commission on Women's Health are to be implemented to improve the health of women in Maryland; and

WHEREAS, It is critical for the State of Maryland to make a commitment to provide health care and preventive activities to meet the health care needs of all women, regardless of marital status, socioeconomic level, race, age, sexual orientation, urban or rural living, education, and occupation.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE

STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The Commission. There is a Commission on Women's Health.
- B. Membership and Procedures. The Commission shall consist of not less than 12 and not more than 33 members appointed by the Governor and shall include the following:
 - (1) The Secretary of Health and Mental Hygiene or designee;
 - (2) The State Superintendent of Schools or designee;
 - (3) The Secretary of Human Resources or designee;
 - (4) The President of the University of Maryland Medical System or designee;
 - (5) The President of Johns Hopkins Hospital or designee;
 - (6) One member of the Senate of Maryland designated by the President;
 - (7) One member of the House of Delegates designated by the Speaker;
 - (8) Up to 26 members including:
 - (a) members from the general public and business community who are interested in women's preventive health issues, including a representative from the media;
 - (b) members who are leaders in health education or scientific disciplines relevant to women's preventive health; and
 - (c) members with needed specific skills.
- C. The Governor shall appoint the chairperson of the Commission.
- D. The Governor may remove any member of the Commission for any cause adversely affecting the member's ability to perform his or her duties.
- E. Membership on the Commission shall be for a three-year term, staggered in thirds. A member may be reappointed and serve for up to two consecutive terms. At the end of a term, a member continues to serve until a successor is appointed.
- F. The Commission shall meet up to eight times a year, unless the Commission deems it necessary to hold additional meetings.
- G. A majority of the Commission shall constitute a quorum for the transaction of any business. The Commission may adopt any other procedures necessary to ensure the orderly transaction of business.

EXECUTIVE ORDERS

- H. The members of the Commission may not receive any compensation for their services. The public members may be reimbursed for their reasonable expenses incurred in the performance of duties, in accordance with the standard travel regulations, and as provided in the State budget.
- I. The Department of Health and Mental Hygiene shall provide the Commission with staff and resources as feasible.
- J. Scope of the Commission. The Commission shall:
 - (1) Identify the gaps and overlaps in women's health and related services and how changes can be made to coordinate with other federal, local, and private agencies on programs for education, prevention, treatment and improved access;
 - (2) Suggest ways in which a public/private partnership could be developed and promoted to address the preventive health needs of Maryland women;
 - (3) Prepare an action plan on initiatives that can be implemented to improve the health of women in Maryland; and
 - (4) Implement the recommendations of the Governor's Commission on Women's Health.

EXECUTIVE ORDER OF JULY 30, 1994

01.01.1994.19

Commission to Study State Assumption of the Circuit Courts

WHEREAS, Local jurisdictions are generally mandated to fund the circuit courts;

WHEREAS, Local governments are required to contribute substantial financial resources to support circuit court operations, but are constrained by constitutional and legal requirements from exercising full budgetary and managerial control over the circuit courts;

WHEREAS, Variations in the fiscal capacities of subdivisions may result in unequal citizen access to civil and criminal justice; and

WHEREAS, All other levels of the Judiciary, including the District Court of Maryland and the Maryland Appellate Courts, are funded by the State;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Commission to Study State Assumption of the Circuit Courts.
- B. The Commission shall explore and make recommendations for mechanisms by which the State could assume the funding and management of the circuit courts.
- C. Recommendations formulated by the Commission shall distinguish between capital and operating cost requirements, and provide for fair treatment for existing circuit court employees.
- D. The Commission shall provide supporting data to demonstrate potential cost efficiencies and improved equity that may be realized through implementation of any of its recommendations.
- E. The Commission shall include in its final report legislative proposals which may be necessary to implement its recommendations.
- F. The Commission shall be composed of not more than 17 members, including:
 - (1) Nine persons appointed by the Governor, including:
 - (a) The Secretary of the Department of Budget and Fiscal Planning, or designee;
 - (b) The Secretary of the Department of General Services, or designee;
 - (c) The Secretary of the Department of Public Safety and Correctional Services, or designee; and
 - (d) At least one circuit court judge.
 - (2) The Chief Judge of the Court of Appeals or the Chief Judge's designee;
 - (3) Two senators appointed by the President of the Senate;
 - (4) Two delegates appointed by the Speaker of the House of Delegates; and
 - (5) Three county representatives appointed by the Maryland Association of Counties.
- G. The Governor shall designate a Chairman from among the members of the Commission.
- H. The Department of Budget and Fiscal Planning shall provide staff support to the Commission.
- I. The members of the Commission may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties.
- J. The Commission shall submit its final report to the Governor no later than October 15, 1994.

EXECUTIVE ORDERS

EXECUTIVE ORDER OF AUGUST 1, 1994

01.01.1994.20

World War II Memorial Commission

WHEREAS, Chapter 380 of the Laws of Maryland of 1991 established a World War II Memorial Commission to develop recommendations for the design, construction and placement of a suitable monument to commemorate the contributions and lives of Maryland citizens who served their country during World War II;

WHEREAS, The provisions of Chapter 380 set a final report date for the Commission of September 1, 1992;

WHEREAS, Since September 1, 1992, Commission members have continued on an informal basis to pursue design, funding and logistical preparations necessary for implementation of the memorial program; and

WHEREAS, As financing and construction activities are initiated, the Commission requires continued authority to represent the State in decisions related to the completion of the memorial program;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, IMMEDIATELY:

- A. The World War II Memorial Commission originally established under the provisions of Chapter 380 of the Laws of Maryland of 1991 is hereby reconstituted by this Executive Order through January 1, 1995.
- B. Those individuals appointed in 1991 to the World War II Memorial Commission who remain available to serve shall become members of the successor Commission created by this Executive Order.
- C. The Governor shall name a Chairman and may appoint additional members to the Commission at his discretion to serve through January 31, 1995.
- D. The Commission shall provide a focal point for coordination of activities related to implementation of a World War II Memorial in the State. All final decisions relative to funding, design, construction and placement of the memorial shall be made in consultation with the Governor.
- E. The Maryland Veterans Commission shall continue to provide staff support to the World War II Memorial Commission during the period covered by this Executive Order.

EXECUTIVE ORDER OF AUGUST 8, 1994

01.01.1994.21

Governor's Office of Justice Administration
(Amends 01.01.1992.02)

WHEREAS, Executive Order 01.01.1992.02 effected a consolidation of the Governor's Office of Justice Administration and the Juvenile Justice Advisory Council and provided for specific responsibilities to be performed by the units in crime and delinquency control and in the administration of justice in the State;

WHEREAS, The Governor's Advisory Board for Justice Administration was established to render assistance to the Office in carrying out its duties and responsibilities; and

WHEREAS, It has been deemed beneficial to modify the composition and duties of the Advisory Board to provide for additional participation from State agencies and the private sector; to identify prevention activities as being among the priorities of the Advisory Board; and to reflect changes in the statute which have occurred since the promulgation of Executive Order 01.01.1992.02.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, AMENDING EXECUTIVE ORDER 01.01.1992.02, EFFECTIVE IMMEDIATELY:

A. Governor's Office of Justice Administration.

(1) [Creation and Composition.

(a)] There is an Office of Justice Administration, an independent unit within the Executive Department.

[(b)] The Office of Justice Administration consists of the consolidated Governor's Office of Justice Assistance and Juvenile Justice Advisory Council, with the respective attendant functions and responsibilities of these entities.

[(c)] (2) The head of the Office is the Executive Director. The Executive Director shall be appointed by the Governor, and serves at the pleasure of the Governor. The Executive Director is responsible directly to the Governor, or the Governor's designee, and shall receive the salary as provided in the State budget. The Executive Director is responsible for the daily operation and administration of the Office.

[(2)] (3) Duties and powers of Executive Director. The Executive Director has the following powers, duties, and responsibilities:

EXECUTIVE ORDERS

- (a) Develop comprehensive short and long range plans for the administration and monitoring of new and existing funds, grants, and services authorized and appropriated, in accordance with State and federal statutes for programs regarding crime, delinquency, and the administration of justice.
- (b) Review and act upon requests for funds, grants, and services subject to discussion and consultation with the Governor's Advisory Board for Justice Administration.
- (c) Monitor and audit grant programs pursuant to the provisions of the enabling State and federal legislation.
- (d) Prepare State plans and strategies in accordance with State and federal legislation, in concert with the Governor's Advisory Board for Justice Administration.
- (e) Pursue sources of new and alternative funding available for the administration of juvenile and criminal justice[,] and, further, provide assistance to State and local agencies in the attainment of such funding.
- (f) Evaluate State and local problems in the administration of juvenile and criminal justice, through consultation and coordination by governmental agencies[,] at the State and local level[,] and representatives of the private sector, in an effort to assess and recommend the efficient and effective use of funds, personnel, and other resources. Accordingly, the agency shall act as a clearinghouse for juvenile and criminal justice information.
- (g) Advise the Governor on criminal justice and juvenile justice budget requests, as appropriate, to insure a cohesive, comprehensive State justice assistance program.
- (h) Advise the Secretary of Budget and Fiscal Planning of the fiscal implications of current and emerging State and local juvenile and criminal justice related issues.
- (i) Advise the Governor on legislation, as appropriate, in the area of crime, delinquency, and the administration of justice.
- (j) Serve as the Governor's representative on national, federal, State, or local associations, bodies, or boards for the administration of justice as designated by the Governor.
- (k) Serve on the Criminal Justice Information Advisory Board, as [designated by prior Executive Order, 01.01.1987.17.] STIPULATED UNDER § 744 OF ARTICLE 27 OF THE ANNOTATED CODE OF MARYLAND.

- (l) Serve on the State Board of Victims Services, as [established by 65-202] STIPULATED UNDER § 9-1703 of the State Government Article OF THE ANNOTATED CODE OF MARYLAND.
- [(n)] (M) Perform such other duties and functions in the area of the administration of justice as may, from time to time, be assigned to the Office by the Governor as appropriate and necessary for the Office to address and implement the provisions of this Executive Order.
- [(o)] (N) Ensure the proper administration of such operating funds as the Board is entitled to under [Section 222 of] the Federal Juvenile Justice and Delinquency Prevention Act of 1974, AS AMENDED.
- [(p)] (O) Hire staff to provide such support and perform such duties as deemed appropriate and as funded in the State budget.
- [(q)] (P) Provide the Board with such additional staff support, services, and technical assistance as provided through the State budget.

B. Governor's Advisory Board for Justice Administration.

- (1) There is a Governor's Advisory Board for Justice Administration within the Executive Department. The Board shall function and convene as a single advisory body to the Governor's Office of Justice Administration.
- (2) The Board shall augment its role through the establishment of subcommittees which address specific matters germane to the justice system.
 - [(a)] The subcommittees shall focus on issues as requested by the Chairperson in consultation with the Governor.
 - (b)] (3) A specific subcommittee shall be appointed whose purpose and membership is consistent with the provisions of the Federal Juvenile Justice and Delinquency Act of 1974, as amended. This body shall serve as the Juvenile Justice Advisory Council [("[, JJAC("), the State advisory group on crime and delinquency].
- [(2)] (4) Membership. The Governor's Advisory Board for Justice Administration shall consist of [15] UP TO 19 members APPOINTED BY THE GOVERNOR, INCLUDING:[
 - (a) Membership shall include the following agency representatives:
 - (i) The Chief Judge of the District Court of Maryland or designee;
 - (ii) The Attorney General of Maryland or designee;

EXECUTIVE ORDERS

- (iii) The Secretary of Public Safety and Correctional Services or designee;
 - (iv) The Public Defender or designee;
 - (v) One member of the House of Delegates, nominated by the Speaker of the House;
 - (vi) One member of the Senate of Maryland, nominated by the President of the Senate;
 - (vii) One representative of the Circuit Court of Maryland, nominated by the Chief Judge of the Court of Appeals;
 - (viii) One representative of the State's Attorney's Association, nominated by the Association;
 - (ix) The Secretary of Juvenile Services or designee;
 - (x) The Chairperson of the JJAC Subcommittee of the Governor's Advisory Board for Justice Administration; and
 - (xi) The Secretary of the Maryland State Department of Education or designee.]
- (A) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES OR A DESIGNEE;
 - (B) THE SECRETARY OF JUVENILE SERVICES OR A DESIGNEE;
 - (C) THE STATE SUPERINTENDENT OF SCHOOLS OR A DESIGNEE;
 - (D) THE SUPERINTENDENT OF THE MARYLAND STATE POLICE OR A DESIGNEE;
 - (E) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S DRUG AND ALCOHOL ABUSE COMMISSION OR A DESIGNEE;
 - (F) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF JUSTICE ADMINISTRATION OR A DESIGNEE;
 - (G) THE CHAIRPERSON OF THE JJAC SUBCOMMITTEE OF THE GOVERNOR'S ADVISORY BOARD FOR JUSTICE ADMINISTRATION;
 - (H) ONE REPRESENTATIVE OF THE CIRCUIT COURT OF MARYLAND, NOMINATED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;

- (I) THE CHIEF JUDGE OF THE DISTRICT COURT OF MARYLAND OR A DESIGNEE;
- (J) THE ATTORNEY GENERAL OF MARYLAND OR A DESIGNEE;
- (K) THE PUBLIC DEFENDER OR A DESIGNEE;
- (L) ONE REPRESENTATIVE OF THE STATE'S ATTORNEY'S ASSOCIATION, NOMINATED BY THE ASSOCIATION;
- (M) ONE MEMBER OF THE HOUSE OF DELEGATES, NOMINATED BY THE SPEAKER OF THE HOUSE;
- (N) ONE MEMBER OF THE SENATE OF MARYLAND, NOMINATED BY THE PRESIDENT OF THE SENATE; AND
- [(b)] (O) [Membership shall also include representatives] REPRESENTATIVES of various criminal justice associations, or individuals from the [general] public OR PRIVATE SECTOR who demonstrate concern, interest, and/or knowledge in the area of criminal justice.
- [(c) Additional sub-committee membership shall be established on an ad hoc basis.
- (3) Proxy. All members shall be appointed by the Governor. Such members appointed by virtue of their office may designate, in writing, an alternate representative to the Board with voting authority.]
- [(4)] (5) Terms. [Membership] MEMBERS of the Advisory Board [as well as the Juvenile Justice Advisory Council] APPOINTED BY THE GOVERNOR UNDER (4)(O) shall [be] SERVE staggered [for one, two, and three-years] THREE-YEAR TERMS. ALL OTHER MEMBERS OF THE ADVISORY BOARD SHALL SERVE SO LONG AS THEY CONTINUE TO HOLD OFFICE, NOMINATION, OR DESIGNATION SPECIFIED IN THIS EXECUTIVE ORDER. THE MEMBERS OF THE JUVENILE JUSTICE ADVISORY COUNCIL SHALL BE APPOINTED BY THE GOVERNOR TO STAGGERED THREE-YEAR TERMS. [Members shall serve until replaced by successors. The Governor may remove any member for cause.] ALL MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR.
- [(5)] (6) Chairpersons. The Governor shall designate the [Executive Director as] Chairperson of the Advisory Board for Justice Administration. The [subcommittee chairperson] CHAIRPERSON of the Juvenile Justice Advisory Council shall be [appointed] SELECTED by the Governor in accordance with the REQUIREMENTS OF THE Federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

EXECUTIVE ORDERS

- [(6)] (7) Quorum. A majority shall constitute a quorum for the transaction of any business of the Advisory Board and its respective operating subcommittees.
- [(7)] (8) Board/Compensation/Reimbursement. A member of the Advisory Board may:
- (a) May not receive any compensation for participation; but
 - (b) May be reimbursed for expenses incurred, as reasonable, in the performance of certain duties in accordance with the standard travel regulations, and as provided through State budget.
- [(8)] (9) Duties and Responsibilities. [Members of the] THE Advisory Board [have] HAS the following duties and responsibilities:
- (a) The Advisory Board shall assist the Executive Director in developing the necessary State strategy to support the State's application for federal programs in the area of crime[,] AND delinquency[,] PREVENTION, and the administration of justice.
 - (b) The subcommittee designated as the Juvenile Justice Advisory Council[, as promulgated by the Act,] shall develop an annual plan, establish grant procedures consistent with State policy, and proffer recommendations to the Governor for awards, consistent with the plan priorities and availability of funds.
 - (c) The Advisory Board shall examine and assess State and local problems in the area of crime[,] AND delinquency PREVENTION and the administration of justice and shall submit recommendations to the Governor which will identify more effective measures to combat these problems.
 - (d) The Advisory Board shall undertake and prepare analyses, studies, and reports or such other duties and functions related to crime, delinquency, and the administration of justice as may be assigned by the Governor, requested by the Secretary of Budget and Fiscal Planning, or which may be necessary to implement the provisions of this Executive Order.
 - (e) Through its subcommittee for Juvenile Justice Advisory Council and in accordance with the Act, the Advisory Board shall be responsible for the development of an annual plan assessing statewide juvenile justice needs and responding to those needs by proposing to the Governor projects for funding consistent with plan priorities and fiscal availability.

- (f) As appropriate, the Advisory Board shall operate under the authority of and in compliance with prevailing State and federal statutes, regulations and guidelines to review and recommend applications in program areas designated by the Act for consideration by the Governor by funding.
 - (g) The Advisory Board shall submit an annual report on its activities and that of the Office of Justice Administration to the Governor.
 - (h) On matters pertaining to the juvenile justice policy and delinquency prevention, the Advisory Board, as advised by the JJAC subcommittee, shall provide information, analysis, and recommendations to the Governor as well as other State and local units of government.
 - (i) Where appropriate, the Advisory Board shall coordinate its activities with any and all State organizations designated by the Governor.
 - (j) The Advisory Board shall be responsible for monitoring and taking every action at its disposal to assure compliance with all requirements of the Act.
 - (k) With the support of the local governments, the State and local law enforcement units, and the members of the judicial system, the Advisory Board shall [ensure that the] MONITOR AND FACILITATE State of Maryland [complies] COMPLIANCE with the mandates and requirements set forth in the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, in regard to removal of juveniles from adult jails and lockups, the [institutionalization] DEINSTITUTIONALIZATION of status offenders, [and] the separation of juveniles from adults in police lockups and other secure custody[.], AND THE DISPROPORTIONATE CONFINEMENT OF MINORITY YOUTH.
- [(9)] (10) Rules. The Advisory Board may adopt rules consistent with this Executive Order.

EXECUTIVE ORDER OF AUGUST 9, 1994

01.01.1994.22

Governor's Interagency Training Advisory Council

WHEREAS, Maryland is committed to promoting efficiency and economy in State government in order to provide quality service;

WHEREAS, Excellence in the operation of programs and delivery of service depends on a well-trained work force; and

EXECUTIVE ORDERS

WHEREAS, The Governor's Commission on Efficiency and Economy found that in the private sector organizations of comparable size to the State government work force spent 1.4% of payroll per employee on training and development; the federal government spends 1% of payroll per employee; and Maryland State government spends .09% of payroll per employee;

WHEREAS, Maryland recognizes the need to invest in the training and development of its government work force;

WHEREAS, Responsive and efficient State government requires a statewide training policy which maximizes available resources and provides access to quality training; and

WHEREAS, The involvement of all State agencies is integral to creating and implementing a comprehensive and effective career development and training program.

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Interagency Training Advisory Council which will assist in the development and implementation of State employee training.
- B. Membership and procedures of the Council.
 - (1) The Governor's Council shall consist of 12 members including:
 - (a) The Secretary of the Department of Personnel or the Secretary's designee;
 - (b) The Secretary of the Department of Budget and Fiscal Planning or the Secretary's designee;
 - (c) The Secretary of the Department of Health and Mental Hygiene or the Secretary's designee;
 - (d) The Secretary of the Department of Human Resources or the Secretary's designee;
 - (e) The Secretary of the Department of Transportation or the Secretary's designee;
 - (f) The Secretary of the Department of Education or the Secretary's designee;
 - (g) The Secretary of the Maryland Higher Education Commission or the Secretary's designee;

- (h) The Chancellor for the University of Maryland System or the Chancellor's designee;
 - (i) The Chairperson of the Maryland Council of Community College Presidents or a designated representative from that organization;
 - (j) Two members appointed by the Governor from independent State agencies;
 - (k) The Chairperson or a designated representative from the Governor's Executive Advisory Council;
- (2) The Chair of the Council shall be the Secretary of Personnel or the Secretary's representative;
 - (3) All representatives of cabinet Secretaries to the Council should have knowledge of their individual State agency training needs and priorities;
 - (4) A majority of the Council shall constitute a quorum for the transaction of any business. The Council may adopt any other rules or procedures necessary to ensure the orderly conduct of business;
 - (5) The members of the Council may not receive any compensation for their services. The members may be reimbursed for their reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget of the participating agencies;
 - (6) Staff support for the council's activities will be provided by the Department of Personnel and other agencies as appropriate and necessary.
- C. Duties and Responsibilities of State Agencies. All State agencies shall cooperate with the objectives of the State's training and career development program as the agencies carry out their normal functions. Each Cabinet Secretary and head of an independent State agency in the Executive Branch shall designate a liaison to the Council to serve as the coordinator of training and employee development activities and as the primary agency contact for the Council.
- D. Scope of the Council.
- (1) The Council shall direct the implementation of recommendations developed by the Governor's Commission on Efficiency and Economy;
 - (2) The Council shall examine current training issues and future needs for developing the State work force;

EXECUTIVE ORDERS

- (3) The Council shall analyze and explore record management systems to develop an effective method of tracking all State training activities including the number of training programs; the number of participants; the amount of funding; and the overall effectiveness of the training program;
- (4) The Council shall review the policies, practices and procedures used by State agencies to identify training needs, employees to be trained, and the funding necessary for training;
- (5) The Council shall examine State employee's access to training and proposed policies to ensure equitable and appropriate utilization of statewide training resources;
- (6) The Council shall provide an annual report to the Governor on the status of employee training and career development programs in the Executive Branch. The first report is due on or before July 1, 1995.

EXECUTIVE ORDER OF AUGUST 9, 1994

01.01.1994.23

Maryland Museum of African American History and Culture Commission

WHEREAS, The African American History Initiative recently conducted by the Department of Housing and Community Development has identified a need and support for an institution to collect, preserve and interpret to the public Maryland's African American history and culture;

WHEREAS, Maryland possesses a rich African American heritage ranging from Mathias deSousa to Thurgood Marshall, and from the Underground Railroad to the modern civil rights movement;

WHEREAS, The State of Maryland and its citizens can derive substantial benefit from the collection, preservation and public interpretation of our African American heritage, including cultural and educational benefits, and economic development in the form of increased tourism and visitation to Maryland; and

WHEREAS, The State, through a Maryland Museum of African American History and Culture Commission, can more readily access governmental and private foundation finances and community and technical support to plan and implement an institution and facility for these purposes;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Maryland Museum of African American History and Culture Commission.
- B. Membership. The Commission shall consist of up to 16 members appointed by the Governor, including:
 - (1) Two representatives of the Maryland Commission on African American History and Culture;
 - (2) One representative of Morgan State University;
 - (3) Other members who have expertise in African American history, culture, museums or other disciplines, fund raising, and members who can represent the diversity of communities throughout the State that would benefit from the actions of the Commission; and
 - (4) As ex-officio members:
 - (a) The Secretary of the Department of Housing and Community Development or designee;
 - (b) The Secretary of the Department of Economic and Employment Development or designee; and
 - (c) The Mayor of Baltimore, or designee.
 - (5) The Governor shall appoint a Chairperson.
 - (6) The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform the member's duties.
 - (7) In the event of a vacancy, the Governor shall appoint a successor.
 - (8) The Commission shall complete all of its duties by July 31, 1999.
- C. Scope. The Commission is hereby charged with the following duties:
 - (1) Providing leadership and advice for concept development, planning, construction, operations and programming of the Maryland Museum of African American History and Culture;
 - (2) Advising the Governor, the Secretary of Housing and Community Development, other State agencies, the General Assembly and the City of Baltimore on matters relating to the proposed museum;
 - (3) Establishing a broad-based network for community and professional outreach and input for planning the project;
 - (4) Developing, by December 31, 1994, a plan and capital program sufficient to support a capital budget appropriation for architectural and engineering design services for the project to be undertaken in Fiscal Year 1996;

EXECUTIVE ORDERS

- (5) Securing support and financial resources to implement the project; and
 - (6) Performing other duties or actions necessary to advance realization of the Maryland Museum of African American History and Culture.
- D. Principal staff support for the Commission shall be provided by an Executive Director through the Division of Historical and Cultural Programs of the Department of Housing and Community Development. Other agencies shall assist when requested by the Commission.
- E. Procedures.
- (1) The Commission shall meet at least quarterly at times and places to be determined by the members.
 - (2) The Commission may appoint committees from within or without its members to address specific tasks relating to the planning and implementation of the project.
 - (3) A majority of members of the Commission shall constitute a quorum for the transaction of any business. In any subcommittee, a majority shall constitute a quorum for the transaction of any subcommittee business.
 - (4) The Commission may adopt other procedures necessary to ensure the orderly transaction of business.
 - (5) By December 1 of each year, the Commission shall submit a report to the Governor, including recommendations for any legislative, administrative, or other change the Commission deems necessary to further the project.
- F. The members of the Commission may be reimbursed for their reasonable expenses incurred in the performance of duties.
- G. The Commission shall monitor and facilitate State agencies in assessing the impact on the proposed Museum of actions such as permitting, licensing, planning, funding, and construction.

EXECUTIVE ORDER OF AUGUST 22, 1994

01.01.1994.24

Governor's Commission on Television Violence

WHEREAS, Numerous scientific studies demonstrate a link between exposure to televised images of violence and real-life fear, desensitization, aggression, and violence;

WHEREAS, The American Psychological Association reports that children are routinely exposed to televised acts of violence before finishing elementary school:

WHEREAS, Many child development experts agree that children under four cannot distinguish reality from fantasy; and

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Commission on Television Violence.
- B. The Commission shall be composed of not more than 27 members including:
 - (1) Twenty-five persons appointed by the Governor, including:
 - (a) The Superintendent of the Maryland State Department of Education of designee;
 - (b) The Secretary of the Department of Juvenile Services or designee;
 - (c) The Secretary of the Department of Human Resources or designee;
 - (d) The Secretary of the Department of Health and Mental Hygiene or designee;
 - (e) The President of the State Board of Education or designee;
 - (f) Three members representing the commercial broadcasters, two of whom represent network affiliates and one who represents an independent broadcaster;
 - (g) Three parents;
 - (h) Three students, one of whom is a middle school student, one of whom is a high school student, and one of whom is an elementary school student;
 - (i) Five persons with interest and experience in dealing with children and children's access to television and representing advertising, health, child care, child development and the religious community.
 - (j) Two teachers, one of pre-school and another of elementary, secondary or high school;
 - (k) One member of the community at large with significant knowledge or experience with the broadcast media;
 - (l) Two representatives of the print media, one from each of the dominant daily newspapers serving the two major metropolitan areas of the State; and
 - (m) One representative of the Motion Picture Association of America;

EXECUTIVE ORDERS

- (2) One member of the House of Delegates, appointed by the Speaker of the House;
- (3) One member of the Senate, appointed by the President of the Senate.
- C. The Governor shall appoint the chairperson of the Commission.
- D. The Governor may remove any member of the Commission for any cause adversely affecting the member's ability to perform his or her duties.
- E. The Commission shall:
 - (1) Review available research and information about the effects of television viewing on children and other persons;
 - (2) Review efforts by the U.S. Congress and the broadcast industry to issue parental information and other forms of notification on the content of commercial broadcast programs;
 - (3) Review efforts of other states to address the issue of television violence;
 - (4) Review current federal, state, and local laws and regulations regarding issues related to television violence, including the Children's Television Act of 1990, and including but not limited to issues of education, licensing and regulation;
 - (5) Recommend appropriate changes to these laws as applicable and in the State's human services and education systems that might better meet the needs of parents, children and the community as it relates to the public use of commercial television;
 - (6) Conduct public hearings, and otherwise solicit public opinion, to receive the comments of parents, teachers, community leaders, and others concerned about the effects of television violence on children; and
 - (7) Identify and recommend opportunities for public/private sector partnerships that address the issues presented by the viewing of television violence by children.
- F. The members of the Commission may not receive any compensation for their services. The members may be reimbursed for reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.
- G. A majority of the members of the Commission shall constitute a quorum for the transaction of any business. The Commission may adopt such other procedures necessary to ensure the orderly transaction of business.
- H. The Commission shall submit an interim report to the Governor no later than December 1, 1994, and a final report no later than December 1, 1995.

EXECUTIVE ORDER OF SEPTEMBER 8, 1994

01.01.1994.25

Grievance Procedure – State Employees

WHEREAS, The State of Maryland has long recognized the importance of establishing, maintaining, and improving the relationship between the State, as an employer, and its employees in order to be more efficient and responsive to the needs of its citizenry in the provision of essential public services;

WHEREAS, Title 10 of the State Personnel and Pensions Article of the Annotated Code of Maryland establishes a grievance procedure and an appropriate forum for the resolution of disputes between employers and employees in the State Personnel Management System;

WHEREAS, The grievance statute requires each party to a grievance to make every effort to resolve a grievance at the lowest possible level;

WHEREAS, A longstanding source of controversy in the administration of the grievance procedure has been whether the Department of Personnel (DOP) should be named as a formal party in grievances;

WHEREAS, House Bill 1281 and Senate Bill 516 were passed during the 1994 Session of the General Assembly and provided that the DOP could be made a party in an employee grievance "when the Department's action or lack of action is the subject of the dispute;"

WHEREAS, House Bill 1281 and Senate Bill 516 were vetoed on the grounds that they were overbroad and ambiguous, they did not adequately provide how or at what step of the grievance process the DOP would be made a party to the grievance, and because they could be applied retroactively due to the possible interpretation of uncodified language;

WHEREAS, The Secretary of Personnel is responsible for carrying out policies on personnel matters and for adopting regulations and policies to carry out the provisions of Division I of the State Personnel and Pensions Article;

WHEREAS, All officers and employees of this State are required to assist the Secretary of Personnel in all proper ways in carrying out Division I and the regulations and policies adopted under it; and

WHEREAS, Notwithstanding my veto of House Bill 1281 and Senate Bill 516, it is my belief that it is in the best interest of the State and its employees that the DOP may be a party to employee grievances in the proper circumstances, as provided in the terms of this Order;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY

PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The DOP may be made a party in a grievance when the appointing authority, in its decision at the conclusion of the first step of the grievance proceeding, pursuant to State Personnel and Pensions Article 10-207(c), states that the DOP has taken an action adverse to the employee.
- B. In cases where the DOP has been named as a party by the appointing authority under paragraph A, the employee may submit the grievance to the second step of the grievance process, pursuant to State Personnel and Pensions Article 10-208(a), and name the DOP as a party at that step. When the DOP has been named as a party, the grievant's department or unit head shall hold a conference with the grievant and a representative of the DOP. The decision of the grievant's department or unit head shall identify any areas of disagreement between the grievant, the appointing authority, and the DOP that have not been resolved.
- C. If the DOP has been named as a party under the terms of paragraphs A and B of this Order, the DOP may be named a party at step three of the grievance process.
- D. Whenever the DOP has been named a party under this Order, the DOP, the appointing authority, and the grievant shall make every effort to resolve the grievance at the lowest level possible of the grievance process.
- E. Nothing in this Order shall be construed to expand the scope of issues that are grievable or of the jurisdiction of the Secretary of Personnel (or of the Office of Administrative Hearings under a delegation of authority from the Secretary) to hear and decide grievances.
- F. Officers and employees of the State may assist the Secretary of Personnel as deemed necessary by the Secretary to accomplish the purposes of this Order. Nothing in this Order shall be construed as modifying the authority of the Secretary to establish policy in personnel matters or the duty of officers and employees of the State in assisting the Secretary in carrying out State personnel laws and policies.
- G. The Secretary of Personnel and the appointing authorities shall take all actions necessary or desirable to implement this Order.

EXECUTIVE ORDER OF SEPTEMBER 21, 1994

01.01.1994.26

Maryland Office for New Americans

WHEREAS, Maryland was founded by refugees fleeing religious intolerance and continues to welcome newcomers from all over the world who are seeking freedom from oppression and an opportunity to build a better life;

WHEREAS, The people of Maryland benefit from the contributions of these new residents to its economic, social, cultural and civic life;

WHEREAS, Though Maryland is nineteenth in population size among the fifty States, it is among the ten States receiving the most refugees and immigrants, including more than 150,000 newcomers in the past decade;

WHEREAS, These new residents come from dozens of countries, speak many different languages, and vary widely in their skills, educational backgrounds and customs;

WHEREAS, Many of these new residents face great challenges adapting to life in their new homeland, particularly in the first few years after they arrive here;

WHEREAS, Overcoming these obstacles requires the combined efforts of the newcomers themselves, their families, local communities, employers, religious organizations, educational institutions, social and cultural associations, and the State and federal governments;

WHEREAS, It behooves the people of Maryland that the State be aware of the needs and impacts of its foreign-born residents, facilitate their adjustment, foster the development of their potential, encourage their full participation as citizens, and promote mutual understanding among all residents;

WHEREAS, A specific agency of State government is needed to focus on these responsibilities and to draw together public and private efforts on behalf of "New Americans" in Maryland; and

WHEREAS, The Maryland Office of Refugee Affairs has successfully coordinated programs for thousands of refugees and certain other immigrants during the past fourteen years, and is well prepared to carry out an expanded mandate;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. The Maryland Office of Refugee Affairs is now the Maryland Office for New Americans. Its main purpose is to promote the full participation of New Americans in the economic, social, cultural and civic life of Maryland.
- B. The term "New American" means a person who is an immigrant, refugee or asylee, or who has become a naturalized citizen of the United States within the previous three years.
- C. The Office shall:
 - (1) Serve as a resource to the Governor, the General Assembly, agencies within the Executive Department, local government agencies, and private groups concerning policies, programs, legislation, and other matters relating to New Americans in Maryland;

EXECUTIVE ORDERS

- (2) Collect and analyze information regarding the status of New Americans in Maryland, assess their needs and impact on government services, and report its findings and recommendations annually to the Governor and to the public;
 - (3) Plan, coordinate and administer transitional services to help New Americans adjust to life in Maryland;
 - (4) Encourage New Americans to learn English and work to increase the availability of programs of English instruction for adults;
 - (5) Encourage eligible residents to become naturalized citizens of the United States, work to increase the availability of citizenship preparation courses and naturalization assistance, and promote efforts to involve new citizens in public affairs;
 - (6) Work with federal, State and local government agencies to identify and remove inappropriate barriers to public services for New Americans;
 - (7) Provide technical assistance to State and local agencies seeking to deliver services effectively to New Americans; and
 - (8) Promote mutual understanding and respect among all State residents.
- D. Subject to the approval of the Secretary of Human Resources, the Office may accept federal funds granted for all or any of the purposes of this Order, as well as private gifts and donations from individuals, private organizations or foundations.
- E. The Office is entitled to the full cooperation feasible of all State departments and agencies. In this regard, State departments and agencies shall furnish information and such other assistance as may be necessary and available to further the purposes of this Order.
- F. The Maryland Refugee Advisory Council is now the Maryland Advisory Council for New Americans. Its purpose is to assist the Office for New Americans in carrying out its mandate.
- G. The Council:
- (1) Shall identify needs or problems facing New Americans in Maryland and help develop appropriate responses;
 - (2) Shall maintain effective liaison and outreach with various national-origin groups and communities within Maryland and help communicate information to them concerning public and private programs which are beneficial to their interests;
 - (3) Shall conduct meetings and forums for individuals, community leaders, service providers, religious leaders, and others to share information and concerns and to make recommendations for public policy; and

- (4) May review and comment on any current or proposed federal, State or local legislation, policies or programs that affect New Americans in Maryland.
- H. The Council shall consist of the following:
 - (1) As voting members, fifteen individuals appointed by the Governor with the advice of the Office for New Americans, broadly representative of the national-origin populations of New Americans within Maryland as well as private service organizations; and
 - (2) As nonvoting ex officio members:
 - (a) The Secretary of Human Resources;
 - (b) The Secretary of Economic and Employment Development;
 - (c) The Secretary of Health and Mental Hygiene;
 - (d) The Secretary of Licensing and Regulation; and
 - (e) The State Superintendent of Education.
- I. The Council may invite to its meetings, representatives of the United States Immigration and Naturalization Service, the Attorney General of Maryland, and other federal, State and local agencies as appropriate.
- J. Members of the Council shall be appointed for a term of two years, but may continue to serve until a successor is appointed.
- K. Members of the Council may not receive compensation for their services, but are entitled to reimbursement for their reasonable expenses under the standard State travel regulations.
- L. The Council may adopt its own bylaws and procedures.

EXECUTIVE ORDER OF SEPTEMBER 21, 1994

01.01.1994.27

Efficiency 2000 Commission

WHEREAS, Chapter 94 of the Acts of the General Assembly of 1994 establishes the "Efficiency 2000 Commission," to be comprised of members of the legislature, the courts, the executive branch, the public, business and labor leaders and local government officials;

WHEREAS, The Efficiency 2000 Commission is charged with identifying potential reorganizations of State government and making recommendations concerning the elimination of programs and services where unnecessary duplication exists, shifting services from the public sector to the private sector, altering State/local fiscal relations, and reforming the State budget process;

EXECUTIVE ORDERS

WHEREAS, Although enacted in 1994, the Efficiency 2000 Commission will not begin its work until July 1, 1995;

WHEREAS, The State is on the verge of a new cycle of government and new lawmakers will soon assume their role of overseeing the functions and setting the policies of government, a role that many will exercise through the balance of this Century;

WHEREAS, The General Assembly, through Strategy 2000: Maryland's Future, has identified productivity in government as a primary issue of legislative focus, which will likely require the services of the Efficiency 2000 Commission to develop proposals for legislative/executive consideration;

WHEREAS, It is essential that the Efficiency 2000 Commission be in operation prior to the 1995 Session to assist the Governor and General Assembly in meeting the challenges of the 1990's;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. There is an Efficiency 2000 Commission.

B. The Commission shall be composed of:

- (1) Two representatives of the executive branch, appointed by the Governor;
- (2) Two members of the Senate of Maryland, one of whom shall be from the minority party, appointed by the President of the Senate;
- (3) Two members of the House of Delegates, one of whom shall be from the minority party, appointed by the Speaker of the House;
- (4) Two representatives of the judicial branch, appointed by the Chief Judge of the Maryland Court of Appeals;
- (5) Seven representatives of the business community:
 - (a) Three appointed by the Governor;
 - (b) Two appointed by the President of the Senate of Maryland; and
 - (c) Two appointed by the Speaker of the House of Delegates;
- (6) One representative of organized labor, appointed by the Governor;
- (7) One representative of a labor organization representing State employees, appointed by the Governor;
- (8) Two individuals from the State's higher education academic community, appointed by the Governor;

- (9) Two individuals with experience in local government:
 - (a) One appointed by the Maryland Association of Counties, and
 - (b) One appointed by the Maryland Municipal League; and
- (10) Four representatives from the general public:
 - (a) Two appointed by the Governor,
 - (b) One appointed by the President of the Senate of Maryland, and
 - (c) One appointed by the Speaker of the House of Delegates.
- C. The Governor shall appoint the chairperson of the Commission.
- D. The Governor shall appoint an Executive Director who shall serve at the pleasure of the Commission.
- E. A majority of the members of the Commission shall constitute a quorum for the transaction of any business. The Commission may adopt such other procedures necessary to ensure the orderly transaction of business.
- F. The members of the Commission may not receive any compensation for their services. The members may be reimbursed for reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.
- G. The Commission shall carry out all the functions and responsibilities set forth in Chapter 94 of the Acts of the General Assembly of 1994.

EXECUTIVE ORDER OF SEPTEMBER 27, 1994

01.01.1994.28

Governor's Commission on Competitive Forces Facing Maryland's
Horse Racing Industry

WHEREAS, The State of Maryland has a long established tradition of horse racing dating back to the founding of the Maryland Jockey Club in 1743;

WHEREAS, The State of Maryland's horse racing and breeding industries constitute an important segment of the State's economy, accounting for over 20,000 jobs and \$1 billion in annual economic activity;

WHEREAS, The horse racing industry employs grooms, exercise personnel, farriers, veterinarians, jockeys, mutuel clerks, parking attendants, administrative and executive personnel, security personnel, restaurant and catering staff, maintenance workers, and skilled workers from the building trades;

WHEREAS, The over 900 horse farms in Maryland that encompass more than 200,000 acres provide the base from which many quality race horses are drawn, provide

EXECUTIVE ORDERS

employment to many Marylanders, preserve green open spaces, and positively impact on land values;

WHEREAS, The existence and growth of many of these horse farms is dependent on a healthy and thriving Maryland horse racing industry;

WHEREAS, The Virginia Racing Commission is considering proposals for the development of a parimutuel horse racing facility in the Commonwealth of Virginia;

WHEREAS, Operation of a new race track in Virginia in a competitive manner will draw, in large part, from the same pool of available, quality race horses and may threaten the availability of these horses for racing at Maryland tracks;

WHEREAS, Cooperation and coordination between the Maryland tracks and the new Virginia track could lead to a better utilization of the existing supply of quality racehorses, strengthening the Maryland racing industry while supporting the creation of a vibrant racing industry in Virginia;

WHEREAS, Various types of gaming as forms of entertainment and revenue raising have grown dramatically;

WHEREAS, Throughout the nation, states have authorized casino wagering, riverboat gambling and other gaming activities that have directly impacted horse racing in those areas; and

WHEREAS, The State of Maryland has a strong economic dependence on a healthy and viable horse racing industry and desires to find ways to preserve and protect this industry and enable it to prosper in the changing economic and competitive environment;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Commission on Competitive Forces Facing Maryland's Horse Racing Industry.
- B. The Commission shall consist of 19 members appointed by the Governor, including:
 - (1) The Secretary of the Department of Economic and Employment Development, or designee;
 - (2) The Secretary of the Department of Agriculture, or designee;
 - (3) The Secretary of the Department of Licensing and Regulation, or designee;
 - (4) A Senator nominated by the President of the Senate of Maryland;

- (5) A Delegate nominated by the Speaker of the Maryland House of Delegates;
 - (6) Two representatives of the Maryland Racing Commission; and
 - (7) Individuals with interest, knowledge or experience in horse racing and breeding, gaming, economic development and tourism, or State financial matters.
- C. The Governor shall designate a Chairperson from among the members of the Commission.
- D. The Governor may remove any member of the Commission for any cause adversely affecting the member's ability or willingness to perform his or her duties.
- E. In the event of a vacancy on the Commission, the Governor shall appoint a successor.
- F. Scope of the Commission. The Commission shall conduct an in-depth study and review of the competitive forces and economic trends facing the Maryland horse racing industry now and in the future and present recommendations to the Governor. In carrying out this charge, the Commission shall:
- (1) Review and examine the current state of the horse racing industry including average daily handle, number and characteristics of patrons, number and quality of race horses, and the impact of interstate common pool wagering and satellite simulcast wagering. This review should include a comparison of Maryland's racing industry to that in the immediate region and across the country.
 - (2) Review and analyze the expected impact on Maryland by the start up of a parimutuel wagering horse racing facility in the Commonwealth of Virginia. This study should include a review of the number and quality of race horses available in the region, the supply of discretionary income available for entertainment or gaming, and the supply of racing industry workers such as jockeys and farriers. This analysis should also include an evaluation of the impact of Virginia racing being integrated in a cooperative manner with the Maryland industry in a joint Maryland/Virginia circuit.
 - (3) Review the various forms of gaming now conducted or proposed in the State and in the region and the amount of dollars expended or expected to be expended on these activities.
 - (4) Review the regional and national trends in increased gaming activities and examine the cumulative effect these activities have on horse racing.

EXECUTIVE ORDERS

- (5) Review the feasibility and desirability of encouraging a joint Maryland/Virginia racing circuit whereby the Maryland and Virginia tracks would cooperate in meet scheduling and share in the supply of race horses and the wagering dollar.
- (6) Monitor the proposals for increased taxes or fees on parimutuel wagering at the federal, state, or local level and assess the impact of these proposals, if any.
- G. A majority of the Commission shall constitute a quorum for the transaction of any business. The Commission may adopt such other procedures necessary to ensure the orderly transaction of business.
- H. The Chairperson may appoint subcommittees as necessary to study specific issues of the Commission.
- I. The members of the Commission may not receive compensation for their services, but may receive reimbursement for reasonable expenses related to these duties in accordance with the standard travel regulations and as provided in the State budget.
- J. Staff support to the Commission shall be provided by the Governor's Office and other agencies as is appropriate and necessary.
- K. The Commission shall submit a preliminary report of its findings and recommendations to the Governor by December 15, 1994, and a final report by June 30, 1995, after which the Commission may continue to operate at the Governor's discretion to undertake further study or tasks within the scope of this Executive Order.

EXECUTIVE ORDER OF OCTOBER 21, 1994

01.01.1994.29

World War II Memorial Commission
(Amends Executive Order 01.01.1994.20)

WHEREAS, Chapter 380 of the Laws of Maryland of 1991 established a World War II Memorial Commission to develop recommendations for the design, construction and placement of a suitable monument to commemorate the contributions and lives of Maryland citizens who served their country during World War II;

WHEREAS, The provisions of Chapter 380 set a final report date for the Commission of September 1, 1992;

WHEREAS, Executive Order 01.01.1994.20 reconstituted, extended and provided for the membership of the Commission through January, 1995; and

WHEREAS, Revised estimates of capital development, site selection and construction schedules now dictate a further extension to the duration of the Commission;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, AMENDING EXECUTIVE ORDER 01.01.1994.20, EFFECTIVE IMMEDIATELY:

- A. The World War II Memorial Commission originally established under the provisions of Chapter 380 of the Laws of Maryland of 1991 [is hereby] reconstituted by [this] Executive Order 01.01.1994.20 [through January 1, 1995] IS HEREBY EXTENDED UNTIL SUCH TIME AS THE MEMORIAL HAS BEEN COMPLETED AND DEDICATED.
- B. Those individuals appointed in 1991 to the World War II Memorial Commission who remain available to serve shall become members of the successor Commission created by [this] Executive Order 01.01.1994.20.
- C. The Governor shall name a Chairman and may appoint additional members to the Commission at his discretion [to serve through January 31, 1995].
- D. MEMBERS OF THE COMMISSION SHALL SERVE AT THE PLEASURE OF THE GOVERNOR UNTIL SUCH TIME AS THE MEMORIAL IS COMPLETED BY DEDICATION.
- [D.] E. The Commission shall provide a focal point for coordination of activities related to implementation of a World War II Memorial in the State. All final decisions relative to funding, design, construction and placement of the memorial shall be made in consultation with the Governor.
- [E.] F. The Maryland Veterans Commission shall continue to provide staff support to the World War II Memorial Commission during the period covered by this Executive Order.

EXECUTIVE ORDER OF NOVEMBER 21, 1994

01.01.1994.30

Governor's Executive Committee on Drunk and Drugged Driving

WHEREAS, The Governor's Executive Committee on Drunk and Drugged Driving was established informally by the Governor in 1987 to ensure that State resources are combined in efforts to combat drunk and drugged driving through prevention and education, deterrence and enforcement, treatment, and data and evaluation activities;

WHEREAS, The Committee currently has representation from the State Departments of Public Safety and Correctional Services, Health and Mental Hygiene, Education, Juvenile Services, and Maryland State Police, the State Highway Administration, and the Motor Vehicle Administration, the District Court, State's Attorneys' Office, Chief Medical Examiner's Office, and the National Highway Traffic Safety Administration;

WHEREAS, In order to ensure that all major State agencies and other governmental organizations with similar interests and significant responsibilities in this area are represented on the Committee, it is desirable that representatives from various other entities be added to the membership; and

WHEREAS, Liaison will be maintained with the Governor's Drug and Alcohol Abuse Commission and other groups working to reduce the abuse of alcohol and other drugs;

NOW, THEREFORE, I, WILLIAM DONALD SCHAEFER, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a Governor's Executive Committee on Drunk and Drugged Driving.
- B. The Governor's Executive Committee on Drunk and Drugged Driving shall consist of the following members, appointed by the Governor:
 - (1) The Administrator of the Motor Vehicle Administration or designee;
 - (2) The Administrator of the State Highway Administration or designee;
 - (3) The Secretary of the Department of Public Safety and Correctional Services or designee;
 - (4) The Superintendent of the Department of State Police or designee;
 - (5) The Secretary of the Department of Health and Mental Hygiene or designee;
 - (6) The Secretary of the Department of Education or designee;
 - (7) The Secretary of the Department of Juvenile Services or designee;
 - (8) The Secretary of the Department of Natural Resources or designee;
 - (9) A member of the Governor's Executive Office;
 - (10) A judge of the District Court nominated by the Chief Judge;
 - (11) A designee of the State's Attorney Association;
 - (12) The Chief Medical Examiner or designee;
 - (13) A designee of the Maryland Chiefs of Police Association;
 - (14) The regional administrator of the National Highway Traffic Safety Administration or designee.
- C. The Governor shall appoint the Chairman of the Committee.

- D. The Committee may adopt rules necessary to ensure the orderly conduct of business.
- E. The members of the Committee may not receive any compensation for their services. The members may be reimbursed for reasonable expenses incurred in the performance of their duties in accordance with the standard travel regulations and as provided in the State budget.
- F. The Governor may remove any member of the Committee for any cause adversely affecting the member's ability to perform his or her duties.
- G. Primary staff support shall be provided by the State Highway Administration with additional support from other represented agencies and shall be provided in consultation with the Chairman.
- H. Functions of the Committee. The Committee shall:
 - (1) Coordinate the activities and policies of State agencies regarding drunk and drugged driving issues;
 - (2) Establish, as appropriate, standing and ad hoc subcommittees to address prevention and education, deterrence and enforcement, treatment, data/evaluation and other appropriate issues; members of the subcommittees need not be members of the Executive Committee;
 - (3) Formulate recommendations and propose and/or support legislation as deemed appropriate, based on available data and trends, that will advance and enhance current laws and prevention/education, deterrence, treatment, enforcement and other efforts to deter alcohol and other drug-impaired driving;
 - (4) Identify the means whereby the Committee can conduct or undertake assessments of certain programs, including but not limited to, acquiring special funding and mechanisms for contracting for evaluation activities;
 - (5) Provide reports to the Governor outlining major activities and evaluation results, data trends, current challenges, and future plans; and
 - (6) Meet at least quarterly, or more frequently, at the call of the Chairman.

WILLIAM DONALD SCHAEFER, Governor

EXECUTIVE ORDERS INDEX – 1994

– A –

Administrative Agencies, State --

Efficiency 2000 Commission, created	01.01.1994.27	p. 57
Enhancing Public Services through Improved Interagency Cooperation, Commission on, membership increased	01.01.1994.08	p. 12
Insurance Fraud Unit, organization altered; Insurance Fraud Advisory Council, membership provisions altered .	01.01.1994.16	p. 27
Internal audits of State agencies, requirements added	01.01.1994.06	p. 09
New Americans, Maryland Office for, name changed from Maryland Office of Refugee Affairs; Maryland Refugee Advisory Council, name changed to Maryland Advisory Council for New Americans	01.01.1994.26	p. 54
Suspension of operations of State agencies due to acute energy shortage of January 19-21, 1994, and emergency release time for employees	01.01.1994.02	p. 05

African American History and Culture SEE Historical Matters

Agriculture --

Rural development council, known as the Forum for Rural Maryland, created	01.01.1994.14	p. 22
---	---------------	-------

Alcoholic Beverages --

SEE ALSO Drunk and Drugged Driving

Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
--	---------------	-------

Alcoholism --

Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
--	---------------	-------

Aliens --

New Americans, Maryland Office for, name changed from Maryland Office of Refugee Affairs; Maryland Refugee Advisory Council, name changed to Maryland Advisory Council for New Americans	01.01.1994.26	p. 54
--	---------------	-------

Art, Music and Cultural Affairs --

Maryland Museum of African American History and Culture Commission, created	01.01.1994.23	p. 48
Thurgood Marshall Memorial Statue, Governor's Commission on the, created	01.01.1994.13	p. 20
World War II Memorial Commission -		
Reconstituted	01.01.1994.20	p. 38
Termination date extended	01.01.1994.29	p. 62

Auditors and Audits --

Internal audits of State agencies, requirements added	01.01.1994.06	p. 09
---	---------------	-------

EXECUTIVE ORDERS

Automobiles SEE Motor Vehicles

- B -

Boards SEE Committees and Commissions

Buildings SEE Public Buildings and Facilities

Business SEE Commerce and Business

- C -

Children SEE Minors

Circuit Courts --

Governor's Commission to Study State Assumption of the
Circuit Courts, created 01.01.1994.19 p. 36

Classified Employees SEE State Employees

Commerce and Business --

Industrial Energy Efficiency, Maryland Center for,
established 01.01.1994.07 p. 10

Neighborhoods, Commission on, membership increased and
rules of procedure added 01.01.1994.09 p. 14

Committees and Commissions --

Circuit Courts, Governor's Commission to Study State
Assumption of the, created 01.01.1994.19 p. 36

Community Health Networks, Governor's Task Force on,
created 01.01.1994.17 p. 30

Drunk and Drugged Driving, Governor's Executive
Committee on, formally established 01.01.1994.30 p. 63

Efficiency 2000 Commission, created 01.01.1994.27 p. 57

Enhancing Public Services through Improved Interagency
Cooperation, Commission on, membership increased 01.01.1994.08 p. 12

Health Care Decisions Act Advisory Council, established . 01.01.1994.11 p. 17

Horse Racing Industry, Governor's Commission on
Competitive Forces Facing Maryland's, created 01.01.1994.28 p. 59

Insurance Fraud Advisory Council, membership provisions
altered 01.01.1994.16 p. 27

Interagency Training Advisory Council, Governor's, created
to develop and implement State employee training 01.01.1994.22 p. 45

Justice Administration, Governor's Advisory Board for,
composition and duties modified 01.01.1994.21 p. 39

Maryland Museum of African American History and
Culture Commission, created 01.01.1994.23 p. 48

Neighborhoods, Commission on, membership increased and
rules of procedure added 01.01.1994.09 p. 14

New Americans, Maryland Office for, name changed from
Maryland Office of Refugee Affairs; Maryland Refugee
Advisory Council, name changed to Maryland Advisory
Council for New Americans 01.01.1994.26 p. 54

Rural development council, known as the Forum for Rural
Maryland, created 01.01.1994.14 p. 22

Service, Governor's Commission on, created 01.01.1994.01 p. 01

Television Violence, Governor's Commission on, created .. 01.01.1994.24 p. 50

WILLIAM DONALD SCHAEFER, Governor

Thurgood Marshall Memorial Statue, Governor's Commission on the, created	01.01.1994.13	p. 20
Women's Health, Commission on, created as a permanent commission	01.01.1994.18	p. 34
World War II Memorial Commission - Reconstituted	01.01.1994.20	p. 38
Termination date extended	01.01.1994.29	p. 62
Community Development --		
Neighborhoods, Commission on, membership increased and rules of procedure added	01.01.1994.09	p. 14
Community Facilities and Services --		
Service, Governor's Commission on, created	01.01.1994.01	p. 01
Community Service SEE Volunteers		
Comprehensive Health Planning SEE Health Planning and Cost Review		
Conservation --		
Industrial Energy Efficiency, Maryland Center for, established	01.01.1994.07	p. 10
Councils SEE Committees and Commissions		
Courts - Circuit Court SEE Circuit Courts		
Courts - Juvenile Causes SEE Juvenile Causes		
Crimes and Punishments --		
Justice Administration, Governor's Advisory Board for, composition and duties modified	01.01.1994.21	p. 39

- D -

Death --		
Health Care Decisions Act Advisory Council, established .	01.01.1994.11	p. 17
Diseases --		
Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
Drunk and Drugged Driving --		
Governor's Executive Committee on Drunk and Drugged Driving, formally established	01.01.1994.30	p. 63

- E -

Economic Development SEE Commerce and Business		
Education --		
Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
Electric Companies SEE Utilities		
Emergencies --		
Hours of Service Limitations -		
Suspended for motor carriers delivering essential products and services during state of emergency due to winter storm	01.01.1994.03	p. 06
	01.01.1994.05	p. 08

EXECUTIVE ORDERS

Suspended for utility company motor carriers providing relief services to repair power outages due to winter storm	01.01.1994.10	p. 17
Motor vehicle registration, 4-day extension of deadline	01.01.1994.04	p. 07
Suspension of operations of State agencies due to acute energy shortage of January 19-21, 1994, and emergency release time for employees	01.01.1994.02	p. 05
Employment SEE Work, Labor and Employment		
Energy Matters --		
Industrial Energy Efficiency, Maryland Center for, established	01.01.1994.07	p. 10
Suspension of operations of State agencies due to acute energy shortage of January 19-21, 1994, and emergency release time for employees	01.01.1994.02	p. 05
Euthanasia SEE Death		

- F -

Factories SEE Industrial Matters

Farmland --

Rural development council, known as the Forum for Rural Maryland, created	01.01.1994.14	p. 22
---	---------------	-------

Fraud --

Insurance Fraud Unit, organization altered; Insurance Fraud Advisory Council, membership provisions altered .	01.01.1994.16	p. 27
---	---------------	-------

- G -

Gaming --

Horse Racing Industry, Governor's Commission on Competitive Forces Facing Maryland's, created	01.01.1994.28	p. 59
---	---------------	-------

Gas Companies SEE Utilities

Government SEE Administrative Agencies, State

- H -

Health --

Community Health Networks, Governor's Task Force on, created	01.01.1994.17	p. 30
Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
Health Care Decisions Act Advisory Council, established .	01.01.1994.11	p. 17
Women's Health, Commission on, created as a permanent commission	01.01.1994.18	p. 34

Health Insurance SEE Insurance - Health

Health Planning and Cost Review --

Community Health Networks, Governor's Task Force on, created	01.01.1994.17	p. 30
--	---------------	-------

WILLIAM DONALD SCHAEFER, Governor

Historical Matters --

Maryland Museum of African American History and Culture Commission, created	01.01.1994.23	p. 48
World War II Memorial Commission -		
Reconstituted	01.01.1994.20	p. 38
Termination date extended	01.01.1994.29	p. 62

Horses SEE Racing

Housing --

Neighborhoods, Commission on, membership increased and rules of procedure added	01.01.1994.09	p. 14
---	---------------	-------

- I -

Industrial Matters --

Industrial Energy Efficiency, Maryland Center for, established	01.01.1994.07	p. 10
--	---------------	-------

Infants SEE Minors

Insurance - General --

Insurance Fraud Unit, organization altered; Insurance Fraud Advisory Council, membership provisions altered .	01.01.1994.16	p. 27
---	---------------	-------

Insurance - Health --

Insurance Fraud Unit, organization altered; Insurance Fraud Advisory Council, membership provisions altered .	01.01.1994.16	p. 27
---	---------------	-------

Insurance - Motor Vehicles --

Insurance Fraud Unit, organization altered; Insurance Fraud Advisory Council, membership provisions altered .	01.01.1994.16	p. 27
---	---------------	-------

Interstate Affairs --

Horse Racing Industry, Governor's Commission on Competitive Forces Facing Maryland's, created	01.01.1994.28	p. 59
---	---------------	-------

- J -

Job Training --

Interagency Training Advisory Council, Governor's, created to develop and implement State employee training	01.01.1994.22	p. 45
---	---------------	-------

Juvenile Causes --

Justice Administration, Governor's Advisory Board for, composition and duties modified	01.01.1994.21	p. 39
--	---------------	-------

- L -

Land Use SEE Zoning and Planning

Law Enforcement --

Central light rail security at Oriole Park at Camden Yards, augmentation by Maryland Transportation Authority Police	01.01.1994.15	p. 26
--	---------------	-------

EXECUTIVE ORDERS

Life Insurance SEE Insurance - General

- M -

Manufacturing SEE Industrial Matters

Mass Transit --

Central light rail security at Oriole Park at Camden Yards,
augmentation by Maryland Transportation Authority
Police

01.01.1994.15 p. 26

Mercy Killing SEE Death

Minors --

Fetal alcohol syndrome, awareness and prevention
program, provisions added
Television Violence, Governor's Commission on, created ..

01.01.1994.12 p. 19

01.01.1994.24 p. 50

Motor Vehicle Insurance SEE Insurance - Motor Vehicle

Motor Vehicles --

Registration, extension of deadline by four days

01.01.1994.04 p. 07

**Motor Vehicles - Drunken Driving SEE Drunk and Drugged
Driving**

Motor Vehicles - Trucks SEE Trucks

Museums --

Maryland Museum of African American History and
Culture Commission, created

01.01.1994.23 p. 48

- P -

Personnel, Department of --

State employee grievance procedure, provisions to include
Department of Personnel as a party to

01.01.1994.25 p. 53

Planning SEE Zoning and Planning

Police SEE Law Enforcement

Privatization --

Efficiency 2000 Commission, created

01.01.1994.27 p. 57

Public Buildings and Facilities --

Suspension of operations of State agencies due to acute
energy shortage of January 19-21, 1994, and emergency
release time for employees

01.01.1994.02 p. 05

Public Schools SEE Schools - Public

Public Utilities SEE Utilities

- R -

Racing --

Horse Racing Industry, Governor's Commission on
Competitive Forces Facing Maryland's, created

01.01.1994.28 p. 59

WILLIAM DONALD SCHAEFER, Governor

Registration SEE Motor Vehicles - Registration

Reports --

Circuit Courts, Governor's Commission to Study State
Assumption of the, created 01.01.1994.19 p. 36

- S -

Safety --

Hours of Service Limitations -

Suspended for motor carriers delivering essential
products and services during state of emergency due to
winter storm 01.01.1994.03 p. 06
01.01.1994.05 p. 08

Suspended for utility company motor carriers providing
relief services to repair power outages due to winter
storm 01.01.1994.10 p. 17

Schools - Public --

Fetal alcohol syndrome, awareness and prevention
program, provisions added 01.01.1994.12 p. 19

Security Guards SEE Law Enforcement

Snow Emergencies SEE Emergencies

Sports --

Central light rail security at Oriole Park at Camden Yards,
augmentation by Maryland Transportation Authority
Police 01.01.1994.15 p. 26

State Agencies SEE Administrative Agencies, State

State Employees --

Grievance procedure, provisions to include Department of
Personnel as a party to 01.01.1994.25 p. 53

Interagency Training Advisory Council, Governor's, created
to develop and implement State employee training 01.01.1994.22 p. 45

Suspension of operations of State agencies due to acute
energy shortage of January 19-21, 1994, and emergency
release time for employees 01.01.1994.02 p. 05

State House --

Thurgood Marshall Memorial Statue, Governor's
Commission on the, created 01.01.1994.13 p. 20

Suicide SEE Death

- T -

Task Forces SEE Committees and Commissions

Training SEE Job Training

Trucks --

Hours of Service Limitations -

Suspended for motor carriers delivering essential
products and services during state of emergency due to
winter storm 01.01.1994.03 p. 06
01.01.1994.05 p. 08

EXECUTIVE ORDERS

Suspended for utility company motor carriers providing relief services to repair power outages due to winter storm	01.01.1994.10	p. 17
--	---------------	-------

- U -

Utilities --

Hours of Service Limitations -

Suspended for motor carriers delivering essential products and services during state of emergency due to winter storm	01.01.1994.03	p. 06
	01.01.1994.05	p. 08

Suspended for utility company motor carriers providing relief services to repair power outages due to winter storm	01.01.1994.10	p. 17
--	---------------	-------

- V -

Veterans --

World War II Memorial Commission -

Reconstituted	01.01.1994.20	p. 38
Termination date extended	01.01.1994.29	p. 62

Volunteers --

Service, Governor's Commission on, created	01.01.1994.01	p. 01
--	---------------	-------

- W -

Women --

Fetal alcohol syndrome, awareness and prevention program, provisions added	01.01.1994.12	p. 19
Women's Health, Commission on, created as a permanent commission	01.01.1994.18	p. 34

Work, Labor and Employment --

Interagency Training Advisory Council, Governor's, created to develop and implement State employee training	01.01.1994.22	p. 45
State employee grievance procedure, provisions to include Department of Personnel as a party to	01.01.1994.25	p. 53
Suspension of operations of State agencies due to acute energy shortage of January 19-21, 1994, and emergency release time for employees	01.01.1994.02	p. 05

- Z -

Zoning and Planning --

Rural development council, known as the Forum for Rural Maryland, created	01.01.1994.14	p. 22
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